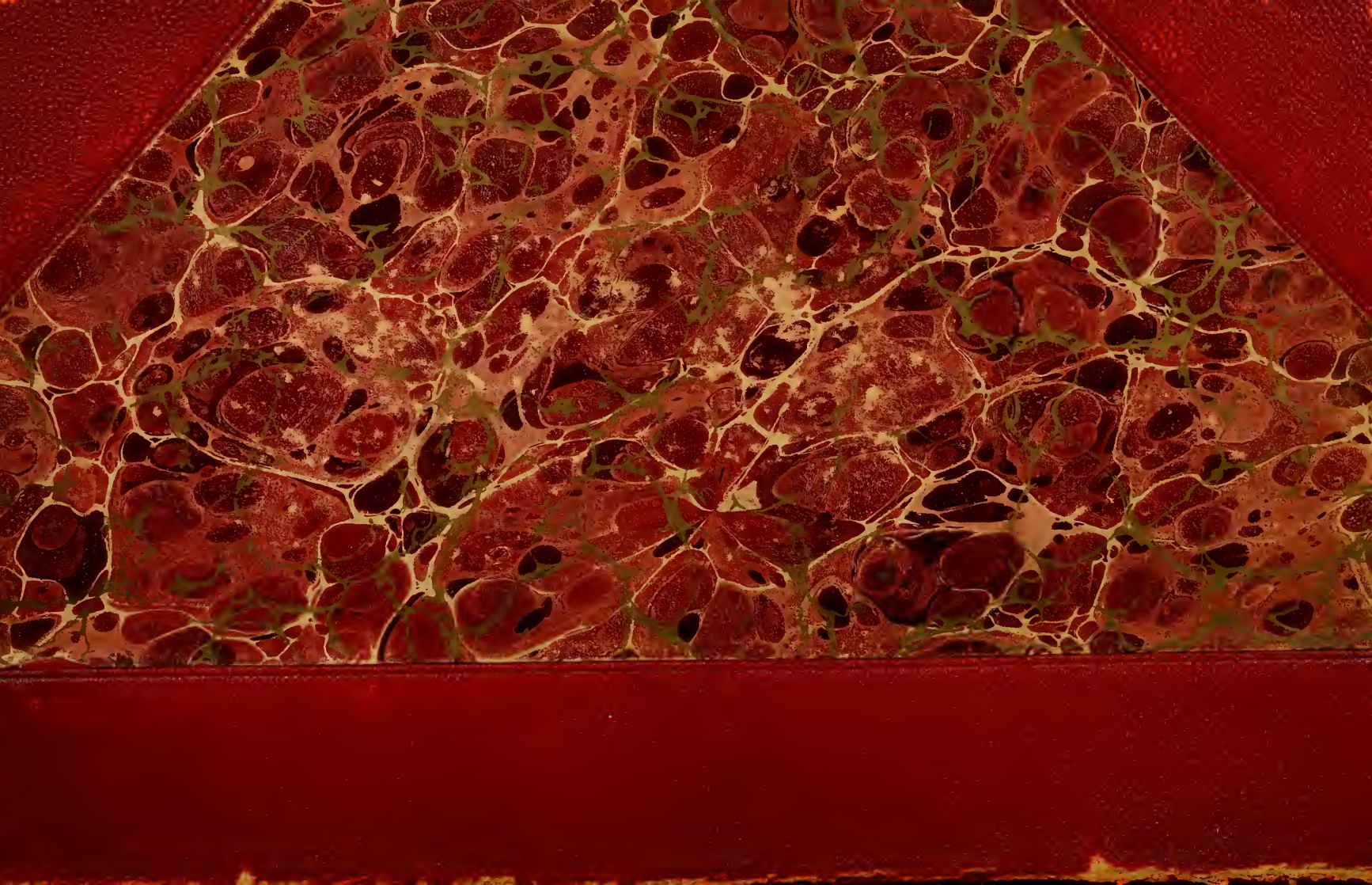

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THE WORK OF STUDENTS

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IN THE COURSES IN THE

# HISTORY OF THE UNITED STATES.

## HISTORY 13, 17 and 20 (d).

TO BE GIVEN AT HARVARD COLLEGE IN THE ACADEMIC YEAR

1889–90.

Hart, Albert Bushnell

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# WORK OF STUDENTS.

## § 1. Work of Students:—Summary.

The work of the students in History 13 (Constitutional and Political History of the United States, 1783-1861), and in History 17 (General History of the United States), for the Academic year 1887-88, will be carried on in four different forms.

1. Attendance on lectures and taking notes: See §§ *3-8*.
2. Historical geography: See § *9*.
3. Reading: See §§ *19-27*.
4. Preparation of "special reports:" See §§ *19-27*.

In addition students will be required to memorize a very few important things (§ *28*); there will be occasional written exercises (§ *29*); Students will be allowed to prepare brief accounts of current topics, to be read in class (§ *30*); and there will be occasional hour examinations; and a written examination at the end of each half year (§§ *34-40*).

In History 20 (d) (Special advanced study and research—Topics in American History) the work will have two parts.

1. Discussions on the use of historical sources.
2. Preparation of a thesis on a limited subject, with a bibliography of the subject: See §§ *31-33*.

## § 2. Work of Students:—Time.

Students will be expected to devote to the work of any one of the courses at least one-fourth of the time spent in study by industrious men: more will not be demanded, though it may profitably be spent. The special report work is meant to occupy about one-fourth of the time put upon the course; the remainder should be devoted to reading. In History 20 (d) the preparation of the thesis will occupy the greater part of the year.

### § 3. Lectures:—Summary.

The lectures are not intended to give a continuous narrative, nor to present detailed statements of facts, save in cases where information in books is scanty or inaccessible. The lectures are intended to show the relations between facts, to point out causes and effects, and to develop principles. Every student will be expected to take his own notes, and to supply facts from his reading. The lectures will be illustrated by special maps and charts.

### § 4. Lectures:—Attendance.

The following is the rule of the Faculty regarding attendance: "Every student is required to satisfy the instructor in each of his courses of study, in such way as the instructor may determine, that he is performing the work of the course in a systematic manner. In structors will provide suitable tests (either for all or for a part of their students), with sufficient frequency to give effect to this regulation, and will report at once to the Dean the names of any students who have not satisfied them that they are doing their work systematically."

Irregular attendance creates a presumption that the student is neglecting his work, and throws upon him the burden of proving the contrary.

### § 5. Lectures:—Suggestions for taking notes.

1. Have a regular SYSTEM.
2. If you have worked out a system of YOUR OWN which satisfies you, do not change it.
3. SHORTHAND is not a great convenience, unless the notes are afterwards put into a form which may be read by any one.
4. A system of recognizable ABBREVIATIONS is desirable.
5. Take notes ALL THE TIME during the lecture.
6. A word-for-word reproduction of what you hear is much less valuable to you than your own CONDENSED FORM, embodying the lecturer's ideas.
7. Distinguish in your own mind the HEADS OF THE LECTURE, as it proceeds, and paragraph your notes accordingly.

8. Aim to set down the SUBSTANCE OF GENERAL STATEMENTS, in your own words, rather than to note a part of each sentence.
9. Practise getting the EXACT WORDS of significant phrases or quotations.
10. If you miss something important, ASK TO HAVE IT REPEATED.
11. If you lose a lecture, FILL UP THE BLANK immediately, from the note-book of a fellow student.
12. After each lecture, go over your notes, and clearly INDICATE THE HEADS: (*a*) by catch words in the margin; or (*b*) by underlining words.
13. Once a week REVIEW the notes taken since the previous review.
14. Make out a brief TABLE OF CONTENTS, as you go along, referring to pages of your note-book.

[For courses, in any subject, made up chiefly of lectures with parallel readings, the following specific system is recommended.]

1. Use a note-book ruled in three vertical columns: a narrow one next the outer edge: about two-thirds of the width in a middle column: about one-fourth in an inner column. Let there be a broad horizontal line an inch or more from the top.
2. Enter your NOTES in the middle column; dates and heading (if desired) in the outer column.
3. DO NOT REWRITE the notes taken in class.
4. Enter abstracts or quotations from your LATER READINGS in the inner column, each opposite the passage in the notes which it is meant to illustrate.
5. Across the top of the page write a RUNNING HEADING in two, three, or four members, summarizing the matter on the page; *e. g.*, "METHODS:—LECTURES;—NOTE-TAKING."
6. Begin to write on the right side of the opened book, and BEGIN EACH distinct general HEAD on a new leaf.
7. Each leaf being thus COMPLETE IN ITSELF may at any time be detached and used in another connection; or others may be interleaved, without disturbing the logical connection.
8. Copy or reproduce TABLES, DIAGRAMS, OR MAPS before the succeeding lecture.

## § 6. List of Lectures:—History 13.

[*The references are to paragraphs of the Outline, edition of 1888-89.*]

### § 6*a*. Introduction [7 Lectures].

1. Methods of the course: §§ 1-8.
2. Authorities and their use: §§ 9-17.
3. Preliminary conceptions: §§ 18-24.
4. (1492-1885) The territory of the United States: §§ 25, 92-94. 239-244, 304, 464, 476-478, 489-490.
5. (1606-1885) The people of the United States: §§ 26, 95, 117, 308, 371, 552-553, 618.
6. ( -1750) English institutions: §§ 27-30.
7. (1606-1750) Colonial institutions: §§ 31-33.

### § 6*b*. (1750-1789) Genesis of the Constitution [12 Lectures]

**(1775-1781.) Revolutionary government (2 Lectures).**

8. (1750-1781) Origin of the Union: §§ 34-38.
9. (1750-1783) Origin of independence.: §§ 39-43.

**(1781-1787.) The Confederation [5 Lectures].**

10. (1776-1781) Formation of the Articles of Confederation: §§ 44-48.
11. (1781-1789) Territorial questions: §§ 49-54, 62.
12. (1781-1786) Finances of the Confederation: §§ 55-63.
13. (1781-1788) The States: §§ 66-69.
14. (1783-1787) Foreign relations and failure of the Confederation: §§ 70-74.

**(1787-1789.) Formation of the Constitution [5 Lectures].**

15. (1787-1787) The Federal Convention: §§ 75-80.
16. (1787-1760) Ratification of the Constitution: §§ 84-89.
17. The form and scope of the Constitution: §§ 81-83.
18. State-rights theory of the Constitution: §§ 87-89.
19. National theory of the Constitution: §§ 90.

§6*c*. (1789-1829.) **Consolidation of the Union [26 Lectures.]**

**(1789-1801.) Organization of the Government [13 Lectures].**

20. (1789 ) Social, economic and political condition of the United States; §§ 96-99, 118.
21. (1789-1887) Organization of Congress; constitutional questions of elections, rights and duties of members, procedure, and powers: §§ 100-103.
22. (1789-1887) Organization of the executive department; constitutional questions of election, departments and appointments: §§ 104-105, 364-365.
23. (1789-1887) Organization of a financial system; constitutional questions of revenue, taxation, expenditure, appropriations and debt: §§ 107-112.
24. (1789-1887) Organization of a commercial system; constitutional questions of external and internal regulation, shipping and protection: §§ 113-116.
25. (1789-1811) The National Bank; constitutional questions of implied and resulting powers: §§ 114-129.
26. (1619-1804) Slavery as a local institution: §§ 130-134.
27. (1787-1808) National questions relating to slavery: §§ 135-140.
28. System of parties and party government: §§141-143.
29. (1789-1793) Rise of political parties and political leaders: §§ 144-148.
30. (1793-1797) Washington's foreign policy; constitutional questions of neutrality and treaty power: §§ 149-155.
31. (1797-1801) Adams's administration; downfall of the Federalists: §§ 156-159, 171-176.
32. (1798-1800) Virginia and Kentucky resolutions; constitutional questions of the arbiter and the remedy for usurpation: §§ 160-165, 170.

**(1801-1815) Foreign Complications. [7 Lectures.]**

33. (1801-1805) Republican policy; constitutional question of the judiciary: §§ 171-177, 181.

34. (1800-1803) Annexation of Louisiana; constitutional questions of annexation and control of territory: §§ 182-188, 121, 123.
35. (1801-1807) Opposition to the administration, and Burr conspiracy; constitutional questions of habeas corpus and treason: §§ 164, 196, 198, 200, 203. 205-206.
36. (1805-1809) Jefferson's foreign policy; constitutional questions of neutral trade and embargo: §§ 207-214.
37. (1806-1812) Madison's foreign policy; causes of the war of 1812: §§ 215-220.
38. (1812-1815) War of 1812; constitutional question of war powers; §§ 119, 223, 225, 229-231.
39. (1812-1815) Opposition to the war; constitutional questions of the militia and of obligations of states: §§ 226-228.

**(1815-1829) Consolidation. [6 Lectures.]**

40. (1815-1821) "Era of good feeling;" financial and commercial reorganization; §§ 232, 233, 237-238, 244.
41. (1808-1820) Slavery as a sectional question: §§ 249-250.
42. (1819-1821) The Missouri Compromise; constitutional questions of territorial powers and admission of states: §§ 251, 255-561.
43. (1793-1829) The Judiciary and constitutional decisions; constitutional questions of judicial powers, appeal and contracts: §§ 265-267.
44. (1789-1823) The Monroe doctrine: §§ 270, 271-278.
45. (1825-1829) John Quincy Adams's administration; elements of party division: §§ 281-283, 285, 290-292.

**§6*d*. (1829-1861.) Period of the Slavery Contest. [38 Lectures.]**

**(1829-1841) Administrative and economic questions. [11 Lectures.]**

46. (1830) The United States in 1830: §§ 304-314.
47. (1829-1837) Personal elements of Jackson's administration: §§ 315-316, 325-328.
48. (1789-1887) Removals; constitutional principles of tenure and removal and civil service reform: §§ 178, 359 366-370.

49. (1789-1887) Indian policy of the United States; constitutional question of jurisdiction over Indians: §§ 120, 286, 372-378.
50. (1820-1833) Jackson's war with the Bank; constitutional questions of the veto power, censure and expunging: §§ 234, 390-391, 400, 402-406.
51. (1819-1832) Tariff legislation: §§ 235, 279-280, 289.
52. (1828-1833) Nullification; constitutional questions of the compact, nullification and coercion: §§ 346-355.
53. (1789-1889) Internal improvements; constitutional question of derivation of the power: §§ 189-193, 236, 287-288, 386-389.
54. (1789-1889) Public lands: §§ 122, 379-385.
55. (1835-1841) Deposits and distribution; constitutional question of the surplus: §§ 411-415, 417-419.
56. (1826-1841) Foreign policy, and independence of Texas: §§ 334-340.

**(1829-1850) Elements of the slavery contest [6 Lectures].**

57. (1829-1861) Negro slavery described: §§ 133, 553.
58. (1829-1861) Political elements of the slavery conflict: §§ 431-436, 559, 561.
59. (1831-1841) Rise of the abolitionists: §§ 429, 437-444.
60. (1831-1842) Abolition question before Congress; constitutional questions of the right of petition, free speech and press: §§ 430, 445-449.
61. (1820-1850) International status of slavery: §§ 469-475, 570.
62. (1820-1850) Interstate status of slavery: §§ 510-514.

**(1841-1853) Territorial questions [7 Lectures].**

63. (1783-1846) Northeastern and northwestern boundaries: §§ 463-465.
64. (1841-1846) The annexation of Texas; constitutional question of the mode of annexation: 464, 480-484.
65. (1846-1848) The Mexican War: §§ 467, 491-493, 468.
66. (1846-1849) The question of territorial slavery: §§ 502-509.
67. (1848-1850) Political crisis and Compromise of r850: §§ 516-518, 539-544.

68. (1850) Discussion of the Compromise: §§ 545-549.
69. (1850-1853) Effects of the Compromise: §§ 535-538, 550.

**(1853-1860) Renewal of the slavery conflict (8 Lectures).**

70. (1853-1860) The arguments for and against slavery: §§ 551-555, 560.
71. (1850-1860) Fugitive slaves: §§ 580, 585-590.
72. (1854) Kansas-Nebraska bill: §§ 581, 591-596.
73. (1054-1861) The struggle for Kansas: §§ 582, 597-604.
74. (1854-1860) The rise of the Republican party: §§ 563-568, 570.
75. (1856-1859) Dred Scott decision; constitutional question of the effect of a decision by the Supreme Court: §§ 583, 605-610.
76. (1846-1857) Mormon troubles; constitutional questions of territorial government and religious freedom: §§573-576.
77. (1854-1860) John Brown's insurrection: §§ 584, 611-615.

**(1860-1861) Secession [6 Lectures].**

78. (1860) The two sections in 1860: §§ 616-622.
79. (1840-1860) Causes of secession: §§ 624, 632-634.
80. (1789-1861) Theory and threats of secession: §§ 637, 640-645.
81. (1860-1861) Progress of secession: §§ 631, 646-650, 662-664.
82. (1860-1861) Attempts to compromise: §§ 651-657.
83. (1860-1861) Question of coercion; constitutional question of suppressing rebellion: §§ 658-661, 665-669.

**§ 6 *e*. (1861-1887.) Period of Reconstruction and reunion. [7 Lectures.]**

84. (1861-1867) Abolition of slavery: § 673.
85. (1861-1865) Government of the United States; constitutional question of war powers: §§ 674-677.
86. (1861-1865) Government of the Confederate States of America: §§ 678-681.
87. (1865-1877) Reconstruction; constitutional questions of the guaranty of republican government and of civil rights: §§ 682-686.
88. (1861-1887) Application of the Monroe doctrine; canal and fishery questions: §§ 687-690.

89. (1865-1885) The government of the States: §§691-693.
90. (1865-1885) Local government in the United States: §§ 694.

### § 7. List of Lectures:—in History 17.

#### § 7 *a* Introduction. [7 Lectures].

1. Methods of the course: §§ 1-8.
2. Authorities and their use: §§ 9-17.
3. Preliminary conceptions: §§ 18-24.
4. (1492-1885) The territory of the United States: §§ 25, 92, 94, 239-244, 304.
5. (1606-1885) The people of the United States: §§ 26, 95, 117, 308, 371, 552, 618.
6. ( -1750) English institutions: §§ 27-30.
7. (1606-1750) Colonial institutions: §§ 31-33.

#### § 7 *b*. (1750-1789.) Genesis of the Constitution. [5 Lectures.]

8. (1750-1781) Origin of the Union: §§ 34-38.
9. (1750-1781) Origin of independence: §§ 39-43.
10. (1776-1787) The Articles of Confederation: §§ 44-47, 54, 58, 74.
11. (1787-1789) The Constitutional Convention: §§ 76-80, 84-85.
12. (1789) Nature of the Constitution: §§ 81-83, 86, 88-91.

#### § 7 *c*. (1789–1829.) Period of Federation. [10 Lectures.]

13. (1789-1793) Political organization of the government: §§ 98, 100-106.
14. (1786-1793) Financial and commercial organization: §§ 108, 111, 113-114, 116, 127-128.
15. (1793-1801) Foreign policy of the Federals: §§ 149-155, 159, 171, 174-175.
16. (1801-1805) Political policy of the Republicans: §§ 177, 180, 183-185.
17. (1805-1811) Causes of the War of 1812: §§ 207-210, 217.
18. (1812-1815) War of 1812 and its effects: §§ 222-225, 231-232.
19. (1619-1819) Slavery in North America: §§ 130-135, 134, 247-250.

20. (1793-1819) Slavery as a national question: §§ 135-139, 246-248.
21. (1818-1821) Missouri compromise: §§ 251-259.
22. (1809-1823) Monroe doctrine: §§ 270, 271-274, 275-278.

§ 7 *d.* (1829-1861.) **Period of the Slavery contest. [18 Lectures.]**

23. (1829-1841) Personal elements of Jackson's and Van Buren's administrations: §§ 315-316, 325-328.
24. (1789-1889) Appointments and removals: §§ 359, 364-370.
25. (1789-1889) Indian policy of the United States: §§ 120, 286, 372-378.
26. (1829-1841) Jackson's war with the Bank, and the surplus: §§ 390-395.
27. (1789-1889) Tariff legislation and nullification: §§ 116, 235, 279, 280, 289, 425, 342-343, 357, 495, 496, 578.
28. (1786-1889) Public lands and internal improvements: §§ 379-389.
29. (1829-1861) Negro slavery described: §§ 133, 553.
30. (1831-1841) The abolition movement: 429-431, 440, 442-443, 447-448.
31. (1829-1854) International and interstate slavery: §§ 462, 499, 570.
32. (1841-1848) Annexation of Texas, and Mexican War: §§ 464, 466-468.
33. (1846-1846) Territorial slavery: §§ 501-509.
34. (1849-1853) Compromise of 1850: §§ 535, 537.
35. ( ) Arguments for and against slavery: §§ 133, 551, 555, 560.
36. (1850-1860) Fugitive slaves and John Brown insurrection: §§ 580, 584, 587-590.
37. (1853-1860) The Kansas struggle: §§ 581, 593, 595, 582, 599-601.
38. (1830-1860) Causes of secession: 624, 632-634.
39. (1860-1861) Progress of secession: §§ 631, 646-650, 662-664.
40. (1869-1861) Questions of compromise and coercion: §§ 652-657, 660, 661, 662.

(7 *e.*) (1861-1885.) **Period of reconstruction and reunion. [5 Lectures.]**

41. (1861-1867) Abolition of slavery: § 673.
42. (1861-1865) Government of the United States during the war; §§ 674-677.
43. (1861-1865) Government of the Confederate States during the war: §§ 678-681.
44. (1865-1877) Reconstruction: §§ 682-686.
45. (1865-1887) State and municipal governments: §§ 691-694.

§ 8. **Lectures: — in History 20 (d).**

In this course, the subjects for lectures have previously been chosen by agreement between each student and the instructor: it has been usual, however, to select by common consent the same general period, and to arrange a series of topics relating to it, so that the lectures may form a sequence. The students then prepared themselves, each to occupy at least two exercises with his lecture. The class met twice a week in the Library, if there was material ready. In the academic year 1887-88, the general subject was the civil history of the United States from 1861 to 1888. The following was the programme:

I. Introductory lectures by Prof. Emerton, Asst. Prof. Channing, and Asst. Prof. Hart, on methods of study, sources of history, and bibliographical aids.

II. Regular lectures by students.

1. (1860-1865) The civil government of the United States.
2. (1861-1865) The civil government of the Confederate States.
3. (1865-1877) Reconstruction.
4. (1865-1885) Political parties.
5. (1865-1885) Foreign relations.
6. (1865-1885) Social questions.
7. (1865-1885) Questions of State and local government.
8. (1865-1884) Workings of the legislative department.
9. (1865-1885) Workings of the executive department.
10. (1865-1885) Workings of the judiciary department.
11. Special bibliographical work.

For the thesis subjects in connection with these lectures, see § 32.

§ 9. **Historical Geography: — Summary.**

An essential part of the work in all the courses will be a study of the historical geography of the United States; this will include a sketch of the physical characteristics of the country and their influence on its history; a general knowledge of the territorial growth of the United States, and of its more important subdivisions; and an understanding of the relations between the slavery question and geography. The data will be furnished in lectures, illustrated by maps; and in special maps reproduced and distributed, or copied by students upon blank outlines. The things to be remembered are few and simple; but they are very important, and no student will be passed in any of the courses if he fail on the geographical questions in the examinations.

§ 10. **Reading: — Summary.**

No student can expect to understand or to profit by the courses without faithful parallel reading. This reading may be done in either of three ways. He may choose books at his discretion, and read according to his own judgment; or he may read one reference under each paragraph of the Outline to which reference is made in the lectures; or he may choose groups out of the "General readings" given below. In History 20 (d) the reading is to be spent almost entirely on the student's thesis subject.

§ 11. **Reading: — Topical.**

In the instructor's opinion, the reading by topics, the connection being shown by the lectures, will give the clearest and most comprehensive knowledge of the subject. The reference's in each paragraph are loosely arranged in the order of preference; but any one reference ought to be sufficient to furnish the requisite facts on the topic. It is an excellent system to have a note book or leaves of loose sheets numbered in the order of the paragraphs, and to set down on each page or sheet, when the paragraph is reached, notes on what is said in the lectures; and to fill in later with a brief summary of the parallel reading.

§ 12. **Reading: — General Readings.**

Owing to the difficulty of providing a sufficient number of copies of the important reference books on the History of the United States, an

option will be given to the students in History 13 and 17. Instead of the references under each topic, they may, under each period, read one group of the following references. It is expected that the books mentioned in the group chosen will all be read, and will be read in the order in which they are set down. Students are urged to use as great a variety of books as possible. The groups under each period are arranged in the order of preference. The readings are roughly calculated at about forty pages for each lecture. The total number of pages in each group is shown by the figures in brackets at the end. *Where a passage is set down "for all" it is to be read in addition to the whole of one of the groups.*

### § 13. General Readings:—History 13.

#### § 13 *a*. (1750-1781.) Introduction.—Elements of United States History. [7 Lectures.]

For all. *Johnston's American Politics*, 1-17; *Von Holst's Constitutional Law*, 2-7; *Cooley's Constitutional Law*, 6-8. [21 *pp.*]

1. *Lodge's Short History of the English Colonies in America*, 41-92, 406-521; *Narrative and Critical History of America*, VII. 215-231. [182 *pp.*]
2. *Ludlow's War of American Independence*, 1-103; *Lodge's Washington*, I. 1-153. [254 *pp.*]
3. *Frothingham's Rise of the Republic*, 1-31, 403-558. [185 *pp.*]
4. *Higginson's Larger History of the United States*, 216-295; *Story's Commentaries on the Constitution of the United States*, I. §§146-217; *Lodge's Short History of the English Colonies in America*, 476-511. [200 *pp.*]
5. *Morse's Franklin*, 1-216. [215 *pp.*]
6. *Eliot's Manual of United States History*, 156-179; *Tucker's History of the United States*, I. 70-289. [242 *pp.*]
7. *Doyle's United States*, 202-278; *Morse's John Adams*, 50-240. [260 *pp.*]
8. *Scudder's History of the United States*, 161-243; *Curtis' History of the Constitution of the United States*, I. 1-123. [200 *pp.*]
9. *Lecky's History of England in the Eighteenth Century* (*English ed.*), II. 1-21, III. 267-304, 408-459, IV. 1-64, 90-104, 113-149, 185-200, 247-268. [264 *pp.*]
10. *Hosmer's Samuel Adams*, 21-350. [329 *pp.*]

§ 13 *b*. (1750-1789.) **Formation of the Constitution. [11 Lectures.]**

(1781-1787.) **The Confederation. [5 Lectures.]**

For all. *Von Holst's Constitutional Law*, 7-15. [8 *pp*.]

1. *Hildreth's History of the United States*, III. 374-410, 425-440, 445-481; *Story's Commentaries on the Constitution of the United States*, I. §§ 218-271; *Frothingham's Rise of the Republic*, 569-586; *Higginson's Larger History of the United States*, 295-308; *Narrative and Critical History of America*, VII. 215-231. [179 *pp*.]
2. *Bryant and Gay's History of the United States*, IV. 75-100; *Tucker's History of the United States*, I. 291-347; *Story's Commentaries on the Constitution of the United States*, I. §§ 218-271; *Von Holst's Constitutional History of the United States*, I. 25-46. [144 *pp*.]
3. *McMaster's History of the People of the United States*, I. 103-454. [350 *pp*.]
4. *Curtis' History of the Constitution of the United States*, I. 124-397. [270 *pp*.]
5. *Bancroft's History of the United States* (*last rev*.), VI. 5-194; reprinted in *Bancroft's History of the Constitution of the United States*, I. 1-267; and in *Bancroft's History of the Constitution of the United States* (*Student's ed*.). [190 *pp*.]
6. *Morse's Franklin*, 216-420; *Sterne's Constitutional History*, 1-26. [230 *pp*.]

(1787-1789) **The Constitution. [4 Lectures.]**

For all. *Von Holst's Constitutional Law*, 15-32; *Bryces's American Commonwealth*, I. 12-34. [38 *pp*.]

1. *McMaster's History of the People of the United States*, I. 417-501; *Von Holst's Constitutional History of the United States*, I. 47-63; *Frothingham's Rise of the Republic*, 586-610; *Narrative and Critical History of America*, VII. 236-255. [144 *pp*.]
2. *Schouler's History of the United States*, I. 36-70; *Story's Commentaries on the Constitution of the United States*, I. §§ 272-372; *Gay's Madison*, 88-127. [164 *pp*.]
3. *Hildreth's History of the United States*, III. 482-546; *Tucker's History of the United States*, I. 347-383; *Lodge's Hamilton*, 53-70; *Gay's Madison*, 88-127; *Pomeroy's Constitutional Law*, §§ 74-81. [160 *pp*.]

4. *Bancroft's History of the United States (last rev.)*, VI. 195-462; reprinted in *Bancroft's History of the Constitution of the United States*, I. 267-278; II. 1-97, 119-350; and in *Bancroft's History of the Constitution of the United States (Student's ed.)*. [310 *pp.*]
5. *Curtis' History of the Constitution of the United States*, II. 232-604. [370 *pp.*]
6. *Curtis' Constitutional History of the United States* ; *Lodges' Washington*, II. 1-46. [ *pp.*]

### § 13 *c.* (1789-1829.) Consolidationof the Union. [26 Lectures.]

#### (1789-1801.) Organization of the government [13 Lectures.]

For all. *Johnston's American Politics*, 18-51. [33 *pp.*]

1. *Lodge's Hamilton*, 84-284; *Morse's Jefferson*, 96-208; *Gay's Madison*, 128-251; *Von Holst's Constitutional History of the United States*, I. 64-181; *Higginson's Larger History of the United States*, 309-344; *Narrative and Critical History of America*, VII. 267-294. [510 *pp.*]
2. *Lodges' Washington*, II. 47-298; *Bryce's American Commonwealth*, I. 271-397. [375 *pp.*]
3. *Schouler's History of the United States*, I. 70-501; *Morse's John Adams*, 241-324. [510 *pp.*]
4. *Hildreth's History of the United States*, IV. 25-704, V. 24-418. [1075 *pp.*]
5. *Tucker's History of the United States*, I. 384-627, II. 21-145; *Stevens' Gallatin*, 58-175. [482 *pp.*]

#### (1801-1815.) Foreign Complications. [7 Lectures.]

Woolsey's International Law §200. (5th Ed.)

For all. *Johnston's American Politics*, 52-82. [31 *pp.*]

1. *Morse's Jefferson*, 204-320; *Schurz's Clay* I. 38-125; *Von Holst's Constitutional History of the United States*, I. 181-272; *Higginson's Larger History of the United States*, 344-380. [330 *pp.*]
2. *Gay's Madison*, 252-332; *Stevens' Gallatin*, 176-340; *Von Holst's Constitutional History of the United States*, I. 181-272. [335 *pp.*]

3. *Bryant and Gay's History of the United States*, IV. 144-242; *Higginson's Larger History of the United States*, 344-380; *Morse's John Quincy Adam's* 25-98; *Adam's Randolph*, 48-248. [390 *pp.*]
4. *Schouler's History of the United States*, II. 1-444. [444 *pp.*]
5. *Hildreth's History of the United States*, V. 419-686, VI. 25-374. [617 *pp.*]
6. *Tucker's History of the United States* II. 146-515, III. 21-145. [490 *pp.*]

**(1815-1829.) Consolidation [6 Lectures.]**

For all. *Johnston's American Politics*, 83-101. [19 *pp.*]

1. *Gilman's Monroe*, 125-175; *Von Holst's Constitutional History of the United States*, I. 273-458; *Roosevelt's Benton*, 47-68. [250 *pp.*]
2. *Morse's John Quincy Adams*.98-220; *Schurz's Clay*, I. 125-310. [307 *pp.*]
3. *Bryant and Gay's History of the United States.*, IV. 242-291; *Von Holst's Calhoun*, 12-83; *Magruder's Marshall*, 161-201; *Lodge's Webster*, 48-172; *Higginson's Larger History of the United States*, 381-430; *Sumner's Jackson*, 26-119. [425 *pp.*]
4. *Schouler's History of the United States*, II. 444-463; III. 1-450. [470 *pp.*]
5. *Tucker's History of the United States*, III. 146-515. [370 *pp.*]

**§ 13 *d.* (1829-1861) Period of the Slavery Contest. [38 Lectures.]**

**(1829-1841.) Administrative and economic questions [11 Lectures.]**

For all. *Johnston's American Politics*, 102-132; *Von Holsts's Constitutional History of the United States*, II. 1-79, 147-218, [180 *pp.*]

1. *Sumner's Jackson*, 136-386. [250 *pp.*]
2. *Schurz's Clay*, I. 311-349, II. 11-68, 95-151, 171-197; *Lodges' Webster*, 171-240. [240 *pp.*]
3. *Von Holst's Constitutional History of the United States*, I. 458-505, II. 329-405; *Schouler's History of the United States*, III. 451-531. [210 *pp.*]

4. *Schurz's Clay*, II. 11-68, 95-151, 171-197: *Roosevelt's Benton*, 69-156, 1184-236. [280 *pp.*]
5. *Tucker's History of the United States*, IV. 17-434. [415 *pp.*]
6. *Shepard's Van Buren*, 75-340. [265 *pp.*]
7. *Benton's Thirty Years' View*, I. 121-739, II. 7-210. [820 *pp.*]

**(1829-1850.) Elements of the slavery Contest. [6 Lectures.]**

For all *Von Holst's Constitutional History of the United States*, II. 80-146, 219-329. [175 *pp.*]

1. *Schurz's Clay*, II. 69-94, 152-170; *Morse's John Quincy Adams*, 236-308. [115 *pp.*]
2. *Von Holst's Calhoun*, 85-221. [135 *pp.*]
3. *Greeley's American Conflict*, I. 85-147; *Clarke's Anti-Slavery Days*, 39-126; *Comte de Paris' History of the Civil War in America*, 76-89. [165 *pp.*]
4. *Roosevelt's Benton*, 157-183; *Draper's History of the American Civil War*, I. 311-338; *Von Holst's Calhoun*, 85-221. [185 *pp.*]
5. *Wilson's Rise and Fall of the Slave Power in America*, I. 165-586. [420 *pp.*]

**(1841-1853.) Territorial questions. [7 Lectures.]**

For all. *Johnston's American Politics*, 132-157. [25 *pp.*]

1. *Schurz's Clay*, II. 198-372. *Bryant and Gay's History of the United States*, IV. 350-411. [230 *pp.*]
2. *Greeley's American Conflict*, I. 147-224; *Lodge's Webster*, 241-332; *Clarke's Anti-Slavery Days*, 127-158; *Davis' Rise and Fall of the Confederate Government*, I. 14-22; *Shepard's Van Buren*, 340-382. [250 *pp.*]
3. *Wilson's Rise and Fall of the Slave Power in America*, I. 587-651, II. 1-303. [365 *pp.*]
4. *Von Holst's Calhoun*, 222-352: *Roosevelt's Benton*, 237-340. [230 *pp.*]
5. *Von Holst's Constitutional History of the United States*, II. 406-714, III. 1-597, IV. 1-231. [1135 *pp.*]
6. *Blaine's Twenty Years of Congress*, I. 26-108; *Von Holst's Calhoun*, 221-352. [215 *pp.*]
7. *Benton's Thirty Years' View*, II. 211-787. [575 *pp.*]

The Slave Power: by J. E. Cairnes.

**1853-1860. Renewal of the slavery conflict. [8 Lectures.]**

Von Holst's Constitutional Hist. of the U. S. Vol. VI. 1–46.

For all. *Johnston's American Politics*, 158-179; *Von Holst's Constitutional History of the United States*, III. 563-597. [55 *pp.*]

1. *Greeley's American Conflict*, I. 224-309; *Bryant and Gay's History of the United States*, IV. 410-434; *Davis' Rise and Fall of the Confederate Government*, I. 22-46; *Draper's History of the Civil War in America*, I. 406-437; *Clarke's Anti-Slavery Days*, 158-187. [195 *pp.*]
2. *Von Holst's Constitutional History of the United States*, IV. 232-461. V. 1-490. [720 *pp.*]
3. *Wilson's Rise and Fall of the Slave Power in America*, II. 304-672. [365 *pp.*]
4. *Blaine's Twenty Years of Congress*, I. 109-157; *Greeley's American Conflict*, I. 224-309. [140 *pp.*]

**(1860-1861.) Secession. [6 Lectures.]**

For all. *Johnston's American Politics*, 179-188; *Pollard's Lost Cause*, 75-116; *Lalor's Cyclopaedia*, III. 693-701. [60 *pp.*]

1. *Greeley's American Conflict*, I. 309-449. [140 *pp.*]
2. *Bryant and Gay's History of the United States*, IV. 435-446. *Davis' Rise and Fall of the Confederate Government*, I. 47-85, 199-289. [150 *pp.*]
3. *Draper's History of the Civil War in America*, I. 438-567, [130 *pp.*]
4. *Wilson's Rise and Fall of the Slave Power in America*, II. 673-704, III. 1-108. [140 *pp.*]

**§ 13 *e*. 1861-1885. Period of reconstruction and reunion. [7 Lectures.]**

For all. *Johnston's American Politics*, 188-247. [60 *pp.*]

1. *Lalor's Cyclopaedia*, III. 532-556; *Johnston's History of the United States for Schools*, 297-412. [140 *pp.*]
2. *Stanwood's Presidential Elections*, 236-374. [140 *pp.*]
3. *Gilman's History of the American People*, 501-598; *Sterne's Constitutional History of the United States*, 196-221. [125 *pp.*]

### § 14. General readings. — History 17.

**Introductory. [7 Lectures.]**

1. *Doyle's History of the United States*, 1-201. [200 *pp.*]
2. *Johnston's History of the United States for Schools*, 1-147; *Draper's History of the Civil War in America*, I. 17-62. [190 *pp.*]
3. *Scudder's History of the United States*, 1-249. [200 *pp.*]

**(1750-1789.) Formation of the Constitution. [5 Lectures.]**

For all. *Johnston's American Politics*, 1-17; *Von Holst's Constitutional Law*, 1-32. [50 *pp.*]

1. *Doyle's History of the United States*, 202-289; *Lodge's Washington*, II. 1-46; *Lodge's Short History of the North American Colonies*, 406-475. [200 *pp.*]
2. *Lodge's Hamilton*, 1-83; *Von Holst's Constitutional History of the United States*, I. 1-63. *Schouler's History of the United States*, I. 1-70. [215 *pp.*]
3. *Higginson's Larger History of the United States*, 137-332. [195 *pp.*]
4. *Story's Commentaries on the Constitution*, §§ 1-372. [340 *pp.*]
5. *Lodge's Short History of the English Colonies in America*, 476-521; *Morse's John Adams*, 50-240. [235 *pp.*]
6. *Draper's History of the Civil War in America*, I. 116-210, 242-291. [144 *pp.*]
7. *Gilman's History of the American People*, 80-351. [270 *pp.*]
8. *Hosmer's Samuel Adams*, 31-350. [320 *pp.*]
9. *Tucker's History of the United States*, I. 21-383. [360 *pp.*]

**(1789-1829.) Period of Federation. [10 Lectures.]**

For all. *Johnston's American Politics*, 18-101; *Von Holst's Constitutional History of the United States*, I. 64-181. [200 *pp.*]

1. *Morse's John Adams*, 241-324; *Schurz's Clay*, I. 38-310. [335 *pp.*]
2. *Morse's Jefferson*, 98-208; *Gay's Madison*, 252-332; *Morse's John Quincy Adams*, 98-220. [310 *pp.*]
3. *Lodge's Washington*, II. 47-388; *Sterne's Constitutional History*, 145-168. [365 *pp.*]
4. *Steven's Gallatin*, 58-175; *Von Holst's Constitutional History*

*of the United States*, I. 181-272; *Gilman's Monroe*, 125-175. [390 *pp.*]

5. *Morse's Jefferson*, 209-320; *Higginson's Larger History of the United States*, 333-430. [210 *pp.*]
6. *Gay's Madison*, 128-251; *Morse's John Quincy Adams*, 25-98; *Von Holst's Calhoun*, 12-83. [265 *pp.*]
7. *Bryant and Gay's History of the United States*, IV. 242-291. *Lodge's Hamilton*, 84-284; *Morse's John Quincy Adams*, 25-98. [325 *pp.*]
8. *Von Holst's Constitutional History of the United States*, I. 182-458. [275 *pp.*]
9. *Schouler's History of the United States*, I. 70-501, II. 1-463, III. 1-450. [1340 *pp.*]
10. *Hildreth's History of the United States*, IV. 25-704, V. 24-686, VI. 25-713. [2030 *pp.*]
11. *Tucker's History of the United States*, I. 384-627, II. 21-515 III. 21-515. [1230 *pp.*]

**(1829-1861.) Period of the slavery contest. [18 Lectures.]**

For all. *Johnston's American Politics*, 102-185; *Von Holst's Calhoun*, 124-183; *Von Holst's Constitutional History of the United States*, III. 563-597. [175 *pp.*]

1. *Greeley's American Conflict*, I. 85-309; *Davis' Rise and Fall of the Confederate Government*, I. 1-85; *Schurz's Clay*, II. 69-94, 152-170, 228-372. [485 *pp.*]
2. *Bryant and Gay's History of the United States*, IV. 282-446; *Roosevelt's Benton*, 69-340; *Lodge's Webster*, 171-332. [495 *pp.*]
3. *Draper's History of the Civil War in America*, I. 301-338, 388-567; *Bryant and Gay's History of the United States*, IV. 282-446; *Davis' Rise and Fall of the Confederate Government*, I. 1-85. [465 *pp.*]
4. *Schurz's Clay*, I. 311-349, II. 1-383; *Greeley's American Conflict*, I. 224-309. [500 *pp.*]
5. *Von Holst's Constitutional History of the United States*, I. 459 505, II. 1-714, III. 1-597, IV. 1-461, V. 1-490. [2310 *pp.*]
6. *Wilson's Rise and Fall of the Slave Power in America*, I. 165-651, II. 1-672, III. 1-108. [1270 *pp.*]

**(1861-1886.) Period of reconstruction and reunion. [5 Lectures.]**

For all. *Johnston's American Politics*, 186-247; *Lalor's Cyclopaedia*, III. 532-556. [85 *pp.*]

1. *Johnston's History of the United States for Schools*, 297-412. [115 *pp.*]
2. *Stanwood's Presidential Election*, 236-374. [140 *pp.*]
3. *Gilman's History of the American People*, 501-598. [100 *pp.*]

### § 15. Reading.—Text-Books.

All students are expected to own the following books, which should be in daily use.

1. *Pamphlet on the work of Students.*
2. *The Outline, Parts* I. *and* II. *or the new edition.*
3. *Johnston's American Politics.*

### § 16. Reading.—Books desirable to own.

The following books will be of particular use to students of United States History; and they are all of permanent value. Under each period they are arranged in the order of their probable usefulness to students in Courses 13 and 17. Only such books are enumerated as are in print; many of them may be bought to advantage at second-hand.

**General Histories.**

*Curtis' Constitutional History of the United States.* [In press.]

*Bryce's American Commonwealth* (2 vols.).

**(1606-1789.) Period of colonization and revolution.**

*Frothingham's Rise of the Republic.*

*Lodge's Short History of the English Colonies in America.*

*Doyle's History of the United States.*

*McMaster's History of the People of the United States* (2 vols.).

*Bancroft's History of the Constitution* (2 volumes; also a student's edition in 1 vol.).

*Tyler's Patrick Henry* (Am. Statesmen Series).

*Hosmer's Samuel Adams* (Am. Statesmen Series).

*Morse's Benjamin Franklin* [Am Statesmen Series].

*Lodge's George Washington*, Vol. I.

*Higginson's Larger History of the United States.*

*Story's Commentaries on the Constitution* (3 vols. or 2 vols.).
*Leeky's History of England in the Eighteenth Century* (6 vols.).
*Preston's Documents illustrative of American History.*

**(1789-1829.) Period of federation.**

*Morse's Thomas Jefferson* (Am. Statesmen Series).
*Lodge's Alexander Hamilton* (Am. Statesmen Series).
*Lodge's George Washington* (Am. Statesmen Series) Vol. II.
*Gay's James Madison* (Am. Statesmen Series).
*Morse's John Quincy Adams* (Am. Statesmen Series).
*Von Holst's Constitutional History of the United States* Vol. I.
*Schouler's History of the United States* (Vols. I-III).
*Morse's John Adams* (Am. Statesmen Series).
*Stevens' Albert Gallatin* (Am. Statesmen Series).
*Gilmans' James Monroe* (Am. Statesmen Series).
*Adams' John Randolph* (Am. Statesmen Series).
*Hildreth's History of the United States, second series* (3 vols.).
*Magruder's John Marshall* (American Statesmen Series).
*Narrative and Critical History of America*, Vol. VII.

**(1829-1861.) Period of the slavery question.**

*Schurz's Henry Clay* (Am. Statesmen Series, 2 vols).
*Von Holst's John C. Calhoun* (Am. Statesmen Series).
*Summer's Andrew Jackson* (Am. Statesmen Series).
*Lodge's Daniel Webster* (Am. Statesmen Series).
*Greeley's American Conflict*. Vol. I.
*Von Holst's Constitutional History of the United States*, Vols. II-V.
*Schouler's History of the United States*, Vol. IV.
*Roosevelt's Thomas H. Benton* (Am. Statesmen Series).
*Wilson's Rise and Fall of the Slave Power in America* (3 vols.).
*Spring's History of Kansas* (Am. Commonwealth Series).
*Royce's History of California* (Am. Commonwealth Series).
*Robert's History of New York* (Am. Commonwealth Series, 2 vols.).
*Pollard's Lost Cause.*
*Davis' Rise and Fall of the Confederate Government* (2 vols.).
*Stephens' War Between the States* (2 vols.).
*Shepard's Martin Van Buren* (Am. Statesmen Series.).

(1861-1865.) **Period of Union.**

*Von Holst's Constitutional Law.*

§ **17. Reading:—Selection for a working library.**

The following fourteen volumes will be found the most useful selection for the purposes of the courses. They should cost, new, about $26.00 net: the Greeley and sometimes the Von Holst can be bought to advantage at second-hand.

*American Statesmen Series: lives of Clay*, (2 vols.), *Calhoun*, *Sumner*, *Jefferson*, *Hamilton*, *John Quincy Adams*, *Washington*, (2 vols.).

*Greeley's American Conflict*, Vol. I.

*Von Holst's Constitutional History*, Vols. I-II.

*Von Holst's Constitutional Law.*

*Schouler's United States*, Vols. I-IV.

The best books for $10.00 would be a selection from the American Statesmen series; and Von Holst's Constitutional Law.

§ **18. Reading:—Libraries.**

Students have the use of the College Library, and especially of the reserved books in Colonial and United States History. A part of these books are to be found above the Card Catalogue and under the iron stairs in the Delivery Room of the Library. A select reference library is placed in alcove No. 9 of the reading room. In addition, the Evans Reference Library in United States History is placed in University 14 and will be open day and evening, to qualified students. Keys may be obtained of the assistant on deposit of twenty-five cents. Should there be any serious difficulty in getting the use of reference books, duplicates may be provided. The instructor will ask for students in History 20 (d) the privilege of using books on their special subject in the alcoves of the College library.

§ **9. Special Reports:—Summary.**

Six "Special Reports" will be required from each student in History 13 and three from each student in History 17, for the year 1888-89. The purpose of the system is to train students in finding out things for themselves. It will introduce them to the most valuable authorities; it will make them familiar with the sources of information on American history. It is intended to develop their powers

of analysis and statement, and to interest them in the unsettled questions of our history.

To each student, from time to time, will be assigned a very limited special topic, on which he is expected to make a condensed report, based upon original authorities, so far as possible. The Special Reports will require from a fifth to a fourth of the stated time put upon the course. The instructor regards the Special Reports as so important that no student will receive a pass-mark in either of the courses who has not gained grade D in this part of the work.

The work of preparation of these reports must be done under the direction and to the satisfaction of the assistant.

In order to select subjects on which there is sufficient material, some of the topics may be taken from the period preceeding or following the field of the courses (1783-1861.)

### § 20.—Special Reports:—Assignment.

For the year 1889-90 the Special Reports will be assigned in groups as follows, each at least a month before it is due.

| | | |
|---|---|---|
| No. 1. | Bibliographical. | Due in Hist. 13, Nov. 1; in Hist. 17, Apr. 1. |
| 2. | Congressional. | Due in Hist. 13, Dec. 1; in Hist. 17, May 1. |
| 3. | Statistical. | Due in Hist. 13, Feb 1. |
| 4. | Constitutional. | Due in Hist. 13, Apr. 1. |
| 5. | Slavery. | Due in Hist. 13, May 1; in Hist. 17, June 1. |
| 6. | Biographical. | Due in Hist. 13, June 1. |

As much attention as possible will be paid to the preference of students for particular subjects, shown in their application for entrance into the course.

### § 21.—Special Reports:—General directions.

For the convenience of the instructor in handling the reports, and for the training of students in methodical habits of work, and in order to accustom them to arrange their material for others' use, students will please observe carefully the following general directions. Particular directions and suggestions for each report will be found below.

**1. Assignment.** So far as possible the preference of the student for a particular line of investigation will be consulted; for this purpose students are requested to fill out a blank form with an account of their previous study, and a list of preferred topics. Any two students may exchange topics, with the consent of the assistant.

If a student becomes interested in a topic which he has not time to finish, he may be allowed by the instructor to complete it, instead of doing a later special report. The longer and more difficult subjects are given to two or more students jointly. In such cases they may make any division of the work among themselves which the assistant approves; it being understood that each student shall do a fair proportion of the whole work. The effort will be made to give out interesting topics, in fields little explored, so that the results may be new and have permanent value. In general, there will be no duplicate topics.

**2. Authorities.** Unless otherwise specified, students will be held responsible only for such information as may be had from the books in:

The Delivery Room of the Harvard College Library;

The reserved books in United States History in alcove No 9;

The Evans Reference Library in United States History, in University 14.

The usual arrangement of the books is alphabetical by authors, beginning at the bottom of the range farthest to the left, running up that range, then from the bottom to the top of the next range to the right, and so on.

**3. Assistance.** It is a principle of the whole work that students are to do their own searching for authorities. There is no objection to their asking the aid of other persons; but the actual handling of the books must be done by themselves. Whenever, after a faithful attempt, they are not able to bring to light sufficient information on their subject, or meet contradictions or difficulties, they are expected to apply to the assistant. The library officials have been especially requested not to give help, as the number of students is too great. If there is any further need of suggestion the instructor will be glad to give it in his regular hours of conference. It is not desired that a student should be discouraged at the outset for want of guidance.

**4. Conference.** All students are requested to report to the assistant when they begin work upon their topic, and at least once during the progress of their work, so that he may know what they are doing; and they must submit to him their notes or completed report for his approval before handing in the report.

**5. Method.** As one of the principal objects of the special-report work is to train students in acquiring information on any subject, with the greatest economy of time, and the greatest clearness of result, every student is urged to think out a method for himself. It is a very convenient way to take notes on loose sheets, each piece of paper being devoted to some branch of the general subject; the information gained from different books is thus assembled in a classified form, and when the sheets are arranged, the material for the condensed report is brought together in logical order. *In all cases, exact references to volume and page must support all important statements.* No attention will be paid to reports in which references are lacking or indefinite. It is of course expected that no reference will be given (unless especially directed) save to a passage which the student has verified with his own eyes. If there are serious discrepancies between authorities, they should be pointed out. The effort will be made to assign only topics on which there is positive information; but if a diligent search in the books suggested brings nothing to light, the work will be as readily accepted as though something had been found.

**6. Form of the report.** All the reports are handed in on the sheets with printed headings, on which topics are given out. Dates should be entered in the narrow outside column; subject-matter only in the middle, broad column; references in the inner column, next to the folding in the sheet. Additional sheets should be of the same size and ruling, and should be attached by mucilage, not by fasteners or pins. Do not fold the papers. Since one of the objects of the lecture is to teach conciseness, the length of the report should not exceed the limit set by the topics. The matter should be logically arranged, point by point, the heads indicated by catch-words in the date column, or by underlining. The time spent should be noted at the head of the report.

**7. Return of the report.** If six hours have been faithfully spent on the work, with or without satisfactory result, the notes or report may be shown to the assistant, and will be approved by him. No credit can be given for reports not handed in to the assistant by the evening of the day appointed, except by previous permission of the instructor, or when absence has made it impossible to ask that permission.

### § 52. Special Reports:—No. 1.—Bibliographical.

Due in History 13, Nov. 1; in History 17, Apr. 1.

**Object.** The first report is intended to teach students how to find books.

**Scope.** To each student is assigned a person connected with the history of the United States. The report is to be a list of the printed books, pamphlets and magazine articles bearing on the subject. No narrative is expected. No list of works by the person is expected.

**Authorities.** Students will be held responsible for all titles which can be obtained through the following authorites:

1. The cyclopaedias and biographical dictionaries, in the Delivery Room.
2. The bibliographical helps enumerated in the Outline, § 12.
3. The library catalogues in the Delivery Room of the Library, including *Leypoldt's American Catalogue.*
4. The authors card catalogue of the Harvard College Library. Students are especially referred to Mr. *W. C. Lane's Notes on the Subject Catalogue—History of the United States.*
5. *Poole's Index*, the *Q. P. Indexes*, and other indexes to particular periodicals to be found above the Author's Catalogue in the Delivery Room.
6. Bibliographies of books on the person in biographies or histories.

**8. Selection.** Only those books are to be enumerated which deal with the general subject matter. Thus, under Washington, it will not be necessary to enter books on the Revolution. Further, they must deal principally with that subject; thus we need not enumerate histories of the United States or of Virginia under Washington.

**Method.** The most convenient method, is to go through the bibliographical aids, setting down each promising title on a slip or card; and afterwards to verify the set.

**Verification.** Students may verify for themselves the title of every book in the Harvard College Library which is on their list; but are not required to do so, and the instructor will be very glad to have students search out books not here, but to be found in the Boston

Athenæum or Boston Public Library. If you find a title and cannot discover the book, set down opposite it a reference to the place in which you found the title. Please insert the Library number of all books examined. The precise form of the title of unseen books may usually be found, for authors from A to R, in Sabin's *Bibliotheca Americana*.

**Form of Report.** Titles should be arranged alphabetically by authors. References and abbreviations should be punctuated systematically. The title page should be quoted in full, with the publisher's name, place of publication, date, number of pages, and size of the book so far as those particulars are found.

### § 53. Special reports: — No. 2; — Congressional.

Due in History 13, Dec. 1; in History 17, May 1.

**Object.** In the second report, students will learn to use the records of the debates of Congress, and will gain some knowledge of the procedure of that body.

**Scope.** To each student will be assigned some particular bill or act of Congress which he will be expected to follow through all its stages. The report is to be a summary history of the bill, and a very brief resumé of the principal arguments for or against it.

**Authorities.** The following are the authorities to be consulted:

1789-1823. *Annals of Congress; files of contemporary newspapers.*
1824-1837. *Congressional Debates.*
1833-1873. *Congressional Globe.*
1873-1889. *Congressional Record.*
1789-1850. *Benton's Abridgment.*
1789-1888. *House Journals.*
1789-1888. *Senate Journals.*

**Aids.** There is a very poor index in the older records of debates; and a very elaborate one for late issues of the Record. The Journals are better indexed, and a bill may easily be followed in them by its number: having thus found the dates, the debate may be traced.

All these books are to be used by their indexes of subjects, speakers, and bills. They are all to be found in the Delivery Room of the Library, and a partial duplicate set is in the Evans Reference Library.

**Method.** The manner of doing the work is left to each student; to many a very convenient method will be to use loose sheets, devoting one to each principal argument; by going through the debate, and noting a reference to each particular point, on its separate sheet, the student will have a body of classified references; he can then go back and read the best citations under each head, and thus frame his argument.

### § 24. Special reports:—No. 3;—Statistical.

DUE IN HISTORY 13 ONLY, FEB 1.

**Object.** It is very important that every student should learn where to find and how to use statistical material illustrating the history of the United States, and that he should master the complicated system of the Public Documents.

**Scope.** To each student is assigned a statistical subject, covering a series of years. The report is to be made in the form of a statistical table, showing the total for each (fiscal) year, and the sum total for the whole period. No narrative is expected, and no additional information, except such as may be necessary to elucidate the figures.

**Authorities.** The following general authorities will be reserved in alcove No. 9:

*The Statistical Abstract* (1789-1886); *Compendium of the Tenth Census* (1790-1880); *Scribner's Statistical Atlas* (1790-1880); *Spofford's American Almanac* (1789-1888); *Walker's Statistical Atlas of the United States* (1790-1870) (Areas corrected by the Census of 1880, see Compendium, *p.* 1413); *Lalor's Cyclopaedia* (1789-1880); *McGregor's Progress of America* (1789-1844); *Seybert's Statistical Annals* (1779-1817); *Pitkin's Statistical View* (1789-1816); *Donaldson's Public Domain* (1789-1883) *Stanwood's Presidential Elections* (1789-1881); *Johnston's American Politics* (1789-1881).

**Public Documents.** The data for many of the topics must be sought in the publications of the government of the United States; and wherever time permits, statements found in the general authorities must be verified by reference to the original reports. Under each (Congressional) year are to be found at present eight subdivisions,

of Congressional Documents: (1) *Senate Journal;* (2) *Senate Executive Documents;* (3) *Senate Miscellaneous;* (4) *Senate Reports;* (5) *House Journal;* (6) *House Executive Document;* (7) *House Miscellaneous;* (8) *House Reports.* In the Journals (1 and 5 ) can be traced the progress of any bill or resolution; they are carefully indexed. In the Executive Documents (2 and 6 ) are to be found reports made by the executive departments, officers and bureaux. The annual reports of members of the Cabinet and their subordinates are now included among House Executive Documents, though for earlier years they are often to be sought in the Senate Executive Documents. Except the Journals, the Congressional Documents are not paged continuously, but are made up of "Documents" numbered consecutively, each having its own paging.

**Indexes to Public Documents.** Most of the following indexes are to be found above the Authors Catalogue.

1789-1859. *Boston Public Library Catalogue, Upper Hall* (1861). *pp.* 795-842.

1859-1863. *Boston Public Library Catalogue, Upper Hall, Supplement* (1866), *pp.* 644-654.

1789-1877. *Athenæum Catalogue* (1882), Vol. v., *pp.* 3055-3109.

1776-1881. *Poore's Index to Government Publications.*

1789-1817. *Exec. Doc., 18th Cong. 1st Sess. No.* 163.

1815-1887. *McKee's Indexes to House Reports.*

1815-1887. *McKee's Indexes to Senate Reports.*

1823-1831. *House Exec. Doc., 22nd Cong., 2d Sess.*

1831-1839. *Index to Exec. Docs: House Doc., 55th Cong., 2d. Sess.*

1836-1869. *Consolidated Index of Reports: House Doc. 40th Cong., 3d Sess.*

1839-1869. *Consolidated Index of Executive Docs.*

1789-1809. *Ordway's General Indexes to Journals of Congress: 40th Cong., 2d Sess.*

1786-1851. *Digested Summary of Private Claims: 31st Cong. 2d Sess.*

**Conference.** In order to aid students in consulting the documents, the assistant will hold his stated conference in the basement of the iron "stack" in the Library, where they are shelved. Students can use those books *in situ*, only while the assistant or instructor is present. They are particularly requested *not* to return books to their places after use, but to leave them on the tables.

**Methods.** It will probably be found most convenient to go through the general statistical works, noting references to useful tables; then to go to the indexes, and take the titles of reports or other documents, and then to search in the documents themselves, and to compare the official figures with those found elsewhere.

**Form.** The report should contain:

(1) An alphabetical list of authorities containing valuable information or tables on the subject, with precise references to the pages;

(2) A neatly and systematically arranged statement of the result, year by year, in tabular form. All tables must be correctly footed. Figures should be so placed in columns as to make it easy to verify the results. No written explanations should be made except such notes as may be necessary to elucidate the text.

**Discrepancies.** Particular care should be taken to point out errors or discrepancies.

**Time.** The report will take more than the average time; but it will be well spent if the student learns to use Government documents.

### § 25. Special reports: — No 4; — Constitutional.

DUE IN HISTORY 13 ONLY, APRIL 1.

**Object.** The fourth report is meant to train the student in the application to specific cases of the general principles of the Constitution, as developed in the lectures.

**Scope.** Each topic will be a simple question in constitutional law. The report should be a brief statement of the conclusions at which the student has arrived; with the reasons for or against that conclusion. A series of extracts from, or abstracts of, authorities is not sufficient in itself: the matter must be arranged logically, with specific references for each important statement.

**Authorities.** The principal authorities on constitutional law will be found in the reserved and Evans libraries: the foot notes in these books will lead to other commentaries and cases. A full set of the Reports of the United States Supreme Court is in the reserved library, and a partial set in the Evans Library. Other reports and legal works may be used in the Law Library on introduction by the instructor. The subjects will be so limited that there will be time to examine every available authority. It is advised to begin with *Story*, *Kent*, *Pomeroy*, *Hare*, *Bryce* and *Desty*. The beginnings of a bibliography of the Constitution will be found in the *Narrative and Critical History of America*, VII. 255-266.

**Conference.** Upon this report the instructor will himself confer with students, at hours to be announced.

**Method.** The use of loose slips, one for each division of the subject, is recommended: as a reference is found bearing on that part of the subject, it may be entered on the appropriate slip: after going through all the books, the authorities may then easily be compared, point by point.

### § 26. Special Reports:—No. 5.—Slavery.

DUE IN HISTORY 13, MAY 1; IN HIST. 17, JUNE 1.

**Object.** In the fifth report the student is expected to make himself familiar with the literature on slavery, and to gain a detailed knowledge of some incident in the slavery contest.

**Scope.** To each student is assigned some phase or an event in the history of slavery: on this subject he is to write a condensed narrative, introducing quotations freely.

**Authorities.** Students will be expected to search through all the books on slavery in the reserved and Evans libraries; and in addition to use any particular book, not reserved, which they have reason to think will be especially useful to them. Some bibliographical aid may be had from *the Narrative and Critical History of America*, VII, 322-324; the notes to *Von Holst's History* will often be useful.

**Methods.** A careful use of classified library catalogues and of the indexes and tables of contents of books is essential. Cobb's and Hurd's books are commended.

### § 27. Special Reports: — No. 6. — Biographical.

Due in Hist. 13 only, June 1.

**Object.** As the course is necessarily occupied more with questions than with men, there is danger of losing sight of the importance of personal influence in the development of institutions. The last report is intended to connect events and principles with the life of a particular statesman.

**Scope.** To each student will be assigned some public man, whose connection with a particular line of policy is to be traced: the report should present the views of the man in question, at successive intervals. Quotations may well be introduced. The discussion of Webster's position on slavery in *Lodge's Webster* is a case in point.

**Authorities.** Students will be expected to use biographies, collections of the speeches and correspondence of their man; and to go into the records of his speeches in Congress in most cases. Usually the student will have assigned to him the same person upon whom he prepared a bibliography in Special Report No. 1. When that is not the case, he will have the use of the instructor's bibliographies of public men.

**Method.** Painstaking search, and the use of all available indexes, and tables of contents are the only methods that can be specified.

**Form.** Use quotations freely.

### § 28. Memorizing: — Summary.

All students will be expected to have constantly at their command the following data:

1. (1787-1870.) **Constitution** of the United States; Art. I., Sects. 8, 9, 10; Art. II., Sect. 3; Art. III., Sect. 2; Amendments 1 to 11, 13 and 15: °*Johnston's American Politics*, 262-288.
2. (1790-1880.) **Population of the U. S.** at each decennial period, in round numbers: *Compendium of the Tenth Census*, 1. 2-3; *Johnston's U. S. App.* IV.
3. (1791-1876.) **Order of admission of States** (years only need be remembered): *Johnston's American Politics*, 289.
4. (1789-1884.) **Presidential elections**: the two leading candidates in each: *Johnston's American Politics*, 290-296.

5. (1789-1886.) **List of Presidents** with the dates of their administrations: *Johnston's American Politics*, 290-296.

### § 29. Written Exercises: — Summary.

The only written work that will be asked, except the special reports, will be an occasional opinion on the merits of some controversy described in the lecture; or on the application of a principle to a specific case. No preparation will be required.

### § 30. Current Topics: Summary.

From time to time the instructor will ask individual students, instead of preparing a special report, to make out a statement of fact on some public question which may happen to be of interest at the time; and the result of this work will be read, or be used as the basis of a brief talk at the beginning of a lecture.

### § 31. Theses: — Summary.

In History 20 (d) each student will write a thesis, In most cases the student will prefer to take up and elaborate some topic which has interested him in preparing his lecture. The subject must be approved by the instructor. It is expected that the field chosen will be so limited that it will be possible to exhaust the literature upon it, in the time. The thesis is to be read before the class in History 20 (d), at some time during the second half-year. An essential part of each thesis will be a bibliography of the subject, made as complete as possible; it will be reproduced by Cyclostyle process and distributed to the class. To each student will be assigned a weekly time for conference with the instructor; and he will make a brief weekly statement in writing of the work done since the last conference.

### § 32. Theses: — Assignment in past years.

The following were the thesis subjects in History 20 (d) in the academic year 1887-88:

History of the Thirteenth Amendment,
History of the Fox and Wisconsin Internal Improvements.
History of the Fourteenth Amendment.
Boston Politics.

History of the Veto Power.
History of the Fifteenth Amendment.
History of the Greenback Labor Party.
Government of the Confederate States of America.
Bibliography of American Diplomacy.

The following were the subjects in the academic year 1886-87.

The government of the United States, 1861-1865.
Social and Ecomic Effects of Chinese Immigration.
History of the first treaty with China.
The Revenue of the United States, 1865-1885.
Constitutional History of New York.
Riots and their Suppression in the United States.
Bibliography of Civil Service Reform.
Education and Illiteracy in the South.
History of Railroad Land Grants.

### § 33. Theses: — Suggestions to Thesis Writers.

The following general hints may be useful to the writers of theses,

1. Be sure you are willing to do the necessary **work**.
2. Select a **subject** which interests you, if possible in a limited field, but extending over a long period.
3. Begin by noting the chief **authorities**:
   *a.* Furnished by the instructor;
   *b.* In Poole's Index;
   *c.* In the Subject Catalogue.

   Write the title, author (with initials), place and date.
4. Have a **system of note taking**.
   *a.* Note only one subject on each piece of paper.
   *b.* Note the authority for each quotation or abstract by volume and page.
   *c.* Preferably use loose sheets, arranging as you go.
5. From the general authorities, make out a **synopsis** of the chief points which are to be studied, observing:
   *a.* New authorities and references for extension of details;
   *b.* Chronological development;
   *c.* Salient sub-heads of your subject.

6. Extend the **details** which appear to you to need further examination. If necessary make synopses of the sub-heads. Make references for other sub-heads, but abstract them later.
7. **Arrange** your sheets of notes in a logical form, sub-heads under main heads. Choose between chronological, or topical arrangement, or a combination.
8. **Compose** the theses:
   *a.* First settling the proportions;
   *b.* Introducing striking quotations;
   *c.* Giving exact references for all important statements of fact.
9. Add a a **bibliography** of authorities with brief remarks on the bearing of the most important.

**§ 34. — Examinations; — Summary.**

The examinations in the year 1888-89 will include hour examinations with and without notice; and also the semi-annual and final, each of which will be based upon the work of the preceding half-year only. The examinations will test the reading of the student and especially his capacity to understand the relations between facts not brought together in any lecture, and his ability to apply principles to new cases. There will be geographical questions on all papers.

**§ 35. — Examinations; — Suggestions.**

[These hints are not authoritative, and have no reference to the particular form the examination may take.]

1. Get your **examination-book** in early.
2. Come into the examination fresh and able to **think clearly**.
3. Read **the paper** through before beginning to write and decide which of the alternative questions you will choose, if such are offered.
4. If you are doubtful of the **meaning of a question**, apply to the instructor.
5. **Write legibly**: ink is much preferred.
6. Write in a straightforward narrative **style**; make your meaning clear.
7. **Arrange** and paragraph your work neatly and systematically.
8. Indicate **subdivisions** of a logical argument in such a way as readily to catch the eye.

9. **Full answers** to a part ot the questions may be better than insufficient answers to the whole.

10. Less stress will be laid on **dates and details** than on an ability to distinguish the significent points in the work gone over, and to understand their relations: a good general comprehension can, however, be based only on a previous study of details.

11. Have an **opinion** of your own, and express it. If it differs materially from the views taken in the lectures, be able to state the grounds for your dissent.

12. After working an hour, **rest** four or five minutes; and do the same at the end of the second hour.

13. Just before the examination-books are called in, take time to **revise and correct** what you have written, even though you have not finished the paper.

### § 36. Examinations: — Specimen Papers: — History 13.— Mid-year (1889).

CONSTITUTIONAL AND POLITICAL HISTORY OF THE UNITED STATES [1783-1829].

[*Read the paper through before beginning to write, and observe carefully the following directions.* Take all the questions in Group I.; take four questions out of Group II.; having answered nine questions, you are encouraged to try some of the optionals in Group III. Fold maps but once, and put your name upon the face of each. Arrange your answers strictly in the order of the questions. Number the answers plainly with Arabic numerals.]

Group I. Required.

1. Criticise the work upon American History of one of the three following authors, and compare it with Johnston's American Politics: Henry Cabot Lodge; John Bach McMaster; Carl Schurz.

2. Mention the five most important characters in the history of the United States from 1789 to 1829, excluding presidents, secretaries of state, and secretaries of the treasury; state very briefly for what each was remarkable.

3, 4. State the principal events in the territorial history of the United States from 1789 to 1829; and show how each affected the political history. Illustrate on the outline map.

5. Has the United States constitutional authority to charter a university in the city of New York? Has it constitutional power to appropriate money for it? Could it constitutionally revoke the charter?

GROUP II. CHOOSE FOUR QUESTIONS.

6. Very briefly explain seven of the ten following terms. [Please arrange your answers in paragraphs, one for each term.]

(*a*) "Sen. Rep. 41st Cong., 2d Sess., II., 47."
(*b*) Proprietary government.
(*c*) Revenue plan.
(*d*) X. Y. Z. affair.
(*e*) The Aurora.
(*f*) Twelfth amendment.
(*g*) Bayonne decree.
(*h*) Panama Congress.
(*i*) Writ of error.
(*j*) Blifil and Black George.

7. Briefly sketch the foreign policy of the United States from 1804 to to 1812.

8. Sketch the public career of one of the two following statesmen: John Randolph: Albert Gallatin.

9. Which is preferable, the general policy of the Federal party, or that of the Democratic-Republican party, and why?

10. Compare [by *comparison* is meant a discussion of the points common or dissimilar, and not simply an account of one followed by an account of the other] the Compromises upon slavery made by the Federal Convention of 1787 with the Missouri Compromise. What were the political effects of both?

11. Compare the financial policy of the Confederation with that of Madison's second administration.

12. Compare the Jay Treaty with the Treaty of Ghent.

13, 14, 15, 16. [This counts as four questions.] Write a brief essay, in compact and logical form, in support or in refutation of the following passage (from Pollard's *Lost Cause*, pp. 40, 41) :—

"The reader of American history must guard his mind against the error that the Union was, in any sense, a constitutional revolution, or a proclamation of a new civil polity. The civil institutions of the States were already perfect and satisfactory. The Union was nothing more than a convenience of the States, and had no mission apart from them. It had no value as an additional guaranty of personal liberty, nor yet for its prohibitions of invasion of individual rights. These had been declared with equal clearness and

vigor five centuries before in the great charter at Runnymede, had been engrafted upon the Colonial Governments, and were the recognized muniments of American liberty.

"The novelty and value of the Federal Constitution was the nice adjustment of the relations of the State and Federal Governments, by which they both became coördinate and essential parts of one harmonious system; the nice arrangement of the powers of the State and Federal Governments, by which was left to the States the exclusive guardianship of their domestic affairs, and of the interests of their citizens, and was granted to the Federal Government the exclusive control of their international and inter-State relations; the economy of the powers of the States with which the Federal Government was endowed; the paucity of subjects and of powers, withdrawn from the States, and committed to the Federal Government. It was the recognition of the idea of Confederation—the appreciation of the value of local self-government. It was the recognition that the States were the creators and their powers were inherent, and that the Federal Government was the creature and its powers were delegated."

Illustrate freely from the history of the United States between 1783 and 1829.

GROUP III. OPTIONAL QUESTIONS.

NOT TO BE SUBSTITUTED FOR ANY PREVIOUS QUESTIONS.

17. Describe the West Florida controversy, and illustrate on the outline map.

18. Describe the election of 1804 or of 1816.

19. Was Edmund Randolph guilty of corrupt advances to the French minister?

20. Ought Jackson to have been court-martialed for his Florida campaign?

## § 37. Examinations: — Specimen Papers: — History 13.—Hour (1889).

Take the first question and three others.

1. What books have you read on this period? Underscore three of the most important.

2. State, briefly, Calhoun's doctrine of nullification; Hayne's doctrine; Jackson's position on nullification.

3. The removal of deposits, and its constitutionality.

4. [TAKE TWO.] The Caroline affair; Ostend Manifesto; the gag resolutions.

5. [Take Five.] "Kitchen Cabinet"; George Thompson; 12 How. 299; "Genius of Universal Emancipation"; Maysville Road veto; the "American system" scheme.

## § 38. Examinations: — Specimen Papers: — History 13. — Final (1889).

### CONSTITUTIONAL AND POLITICAL HISTORY OF THE UNITED STATES.

**Read the paper through before beginning to write; and observe carefully the following directions.**

[Take all the questions in Group A; take four questions in Group B. Having answered eight questions, you are encouraged to try some of the optionals in Group C. Arrange your answers strictly in the order of the questions, and number them plainly with Arabic numerals.

Group A. [To test principles.] Required.

1. Have you used the general or topical readings?

What four works would you recommend to a person unacquainted with American history who wished to understand the slavery contest?

Take each of these works in succession and mention some episode or phase of that contest which is particularly well set forth in that work.

2. [*Illustrate, if you choose, on the outline map.*] Consider carefully the following hypothetical statement: —

A, the son of a slave woman owned by B, an officer in the army, was born in New York in 1781. B took him to Philadelphia in 1784, to Detroit in 1785, to Nashville in 1791, to Princeton in 1802. In 1805 B removed to San Domingo and thence, in 1809, to Mobile, taking A with him. In 1813 A ran away, taking refuge in the British lines, and went away with the troops to the Bermudas. In 1835 he went to Washington, where he was immediately apprehended and soon after sold for his jail fees to C. C was in 1841 appointed Indian agent to the Cherokees and took A with him. A escaped to San Francisco in 1845. In 1852 he went to Oregon, in 1856 to St. Paul, in 1858 to Vermont, where he became a voter. In 1862 he enlisted in the Union army, but deserted at Louisville the same year. B, who was now a resident of Louisville, saw him, and had him arrested as his slave. A escaped from jail by killing a guard and fled to Cincinnati. B followed him and demanded his surrender.

Has B any legal remedy?

If so, what was that remedy?

If not, what lines of defence could A set up?

3. Would it be constitutional:—

(*a*) For the Secretary of the Navy to send a supply of ship bread for the people made destitute by the floods in Pennsylvania?

(*b*) For the Secretary of War to send troops to protect property, bury bodies, and clear up débris?

(c) Would the consent of Pennsylvania be necessary?

Illustrate *briefly* by citing all the clauses of the Constitution which could possibly be held to justify such action; and by mentioning historical precedents.

4. [Take one. *By comparison is meant a statement of similarities and dissimilarities, point by point, and not a mere account of one, followed by an account of the other.*]

(*a*) Compare the administration of Jackson with that of Buchanan.

(*b*) Compare the character of Calhoun with that of Douglas.

GROUP B. [TO TEST READING.] CHOOSE FOUR.

5. The Nullification controversy.

6. [*Take one.*] (*a*) The breach between Tyler and the whigs.
(*b*) The election of 1844.

7. [*Take one.*] (*a*) The Burns case.
(*b*) The John Brown raid.

8. Webster's position on the Compromise of 1850.

9. The Fort Sumpter episode.

10. [*Answer very briefly; please arrange your answers in paragraphs, one for each topic.*]

Explain *six* of the eight terms following:—

(*a*) Albany regency.
(*b*) Loco-focos.
(*c*) Squatter sovereignty.
(*d*) L'Amistad.
(*e*) Hülsemann affair.
(*f*) English bill.
(*g*) Peace Congress.
(*h*) Civil Rights bill.

11, 12, 13, 14. [*This counts as four questions.*]

Write a brief essay, in compact and logical form, with free illustrations from events, on the following subject: Why did slavery enter into national politics?

Group C. Optional Questions.

[*Not to be substituted for any previous question.*]

15. On the outline map indicate all the boundary controversies connected with Louisiana and Texas.

16. [*Do not comment.*] Give a list of the important diplomatic relations with England from 1829 to 1870.

17. The Kitchen Cabinet.

## § 39. Examinations:—Specimen Papers;—History 17,—Hour (1889).

[Make your answers brief and to the point.]

1. Wherein does the revenue-raising power of Congress under the Constitution differ from that which it had under the Confederation?

2. Give a brief account of the Louisiana purchase, and state exactly what territory it included.

3. With what objects did the United States enter on the war of 1812? Were those objects attained?

4. Explain in a few words: Jay's Treaty; x y z affair; Gunboat System; 36° 30′.

## § 40. Examinations:—Specimen Papers;—History 17,—Final (1889).

### GENERAL HISTORY OF THE UNITED STATES.

**Read the paper through before beginning to write; and observe carefully the following directions.**

[Take all the questions in Group A; take four questions in Group B. Having answered eight questions, you are encouraged to try some of the optionals in Group C. Arrange your answers strictly in the order of the questions, and number them plainly with Arabic numerals.

Group A. Required.

1. How would you set about it to prepare a thesis on the following subject: The ratification of the Jay treaty. Mention the books you would consult, and the methods you would pursue. What two books would you recommend as containing the best account of the subject? Have you used the general or topical readings?

2. [*Put your name on the face of your maps, and fold but once.*] Show on the outline map in what parts of the United States slavery was allowed and in what parts it was forbidden on March 1, 1861. Indicate, in your book or on the map, in what manner slavery was established or forbidden in each part.

3. [*By comparison is meant a statement of the points in common, and of dissimilarities, and not a mere account of one followed by an account of the other.*] Compare the administration of Jefferson with the administration of Jackson.

4. The Kansas—Nebraska act. Its causes, principles, and political effects.

GROUP B. [TO TEST READING.] CHOOSE FOUR.

5. Describe the Government of the Colonies. In what respects did it resemble the present government of the States.

6. What were the principal difficulties encountered in forming the Constitution (1787-1789).

7. Jackson's war with the Bank.

8. [*Take two.*] Describe (*a*) the debates on abolition petitions.
(*b*) the attempt to censure John Quincy Adams.
(*c*) the Boston riot.
(*d*) the Burns fugitive slave case.

9. [*Take one.*] Describe (*a*) the Kansas struggle.
(*b*) the John Brown raid.

10. [*Answer very briefly; please arrange your answers in paragraphs, one for each topic.*] Explain six of the eight terms following:
(*a*) Congressional Globe.
(*b*) Stamp-Act Congress.
(*c*) Kentucky resolutions.
(*d*) Orders in Council.
(*e*) Dred Scott Case.
(*f*) Gag resolutions.
(*g*) Fifty-four, forty; or fight.
(*h*) Corwin amendment.

11, 12, 13, 14. [*This counts as four questions.*] Comment on the following passages from Spence's American Union, pp. 115-116:—

"It has been observed that the North had a clear right to act unanimously, and to win the election if it could. But there was more than this. They

selected as a candidate one whose well-known opinions were those, not of one impartial, as between North and South, and prepared to rule with even hand both great divisions of the country,—but of an earnest and zealous partisan, a believer in opinions which, whether right or wrong, were held by one-half the country to imperil its existence. It is plain that no one can be qualified to act as President of the whole Union who is identified with opinions attacking the framework of half of it. A ruler is assumed to be above party;—it is essential to his functions to belong to no section. To elect one, unknown as a statesman, but known as a partisan, was to declare war against the other side. We are not now considering this election in the aspect of the Slavery question—that will follow—but as evidence of the determination of the North to assume the power afforded by its numbers. Why not? The South had held it long enough, why not now the North? There is this difference. Power in the hands of the South threatens nothing in the North, seeks nothing from it, desires to disturb nothing in it. It is to the other side simply a negation, an absence from office. But power in the hands of the North, when acting, not as a party, but as a people, is then by no means a negative evil or disappointment, but a source of instant anxiety and dread. It is known that it will be aggressive, and that its immediate object will be to attack the interests or institutions of the South. Oliphant remarks: 'Power in the hands of the South affects the patronage of a political party in the North; but power in the hands of the North affects the happiness of almost every individual in the South. The stakes are not equal. The North are playing for the triumph of a party, the South for all they hold dearest to them.' "

Show from the previous history of the country how far this statement is justified.

### Group C. Optional Questions.

[*Not to be substituted for any previous question.*]

15. On the outline map show the additions to the territory of the United States from 1800 to 1860. State very briefly in what manner each was acquired.

16. The character of Alexander Hamilton.

17. The abolition of slavery.

Democratic 178 Andrew Jackson 178 — Democratic.
John Quincy Adams 83 — Nat. Republican.

Presidential elections: the two leading candidates in each, up to the election of 1832.

1789: George Washington 69
John Adams 34

1792 George Washington 132
John Adams 77 — Federalist
George Clinton 50 — Republican

Federalist Administration 1796 John Adams 71 — Federalist
Thomas Jefferson 68 — Republican
Thomas Pinckney 59 — Federalist
Aaron Burr 30. — Republican.

Republican Administration 1800 Thomas Jefferson 73 — Republican
Aaron Burr 73 — Republican.
John Adams 65 — Federalist.
Charles C. Pinckney 64 — Federalist.

Republican Administration 1804 Thomas Jefferson 162 — Republican.
Charles C. Pinckney 14 — Federalist.

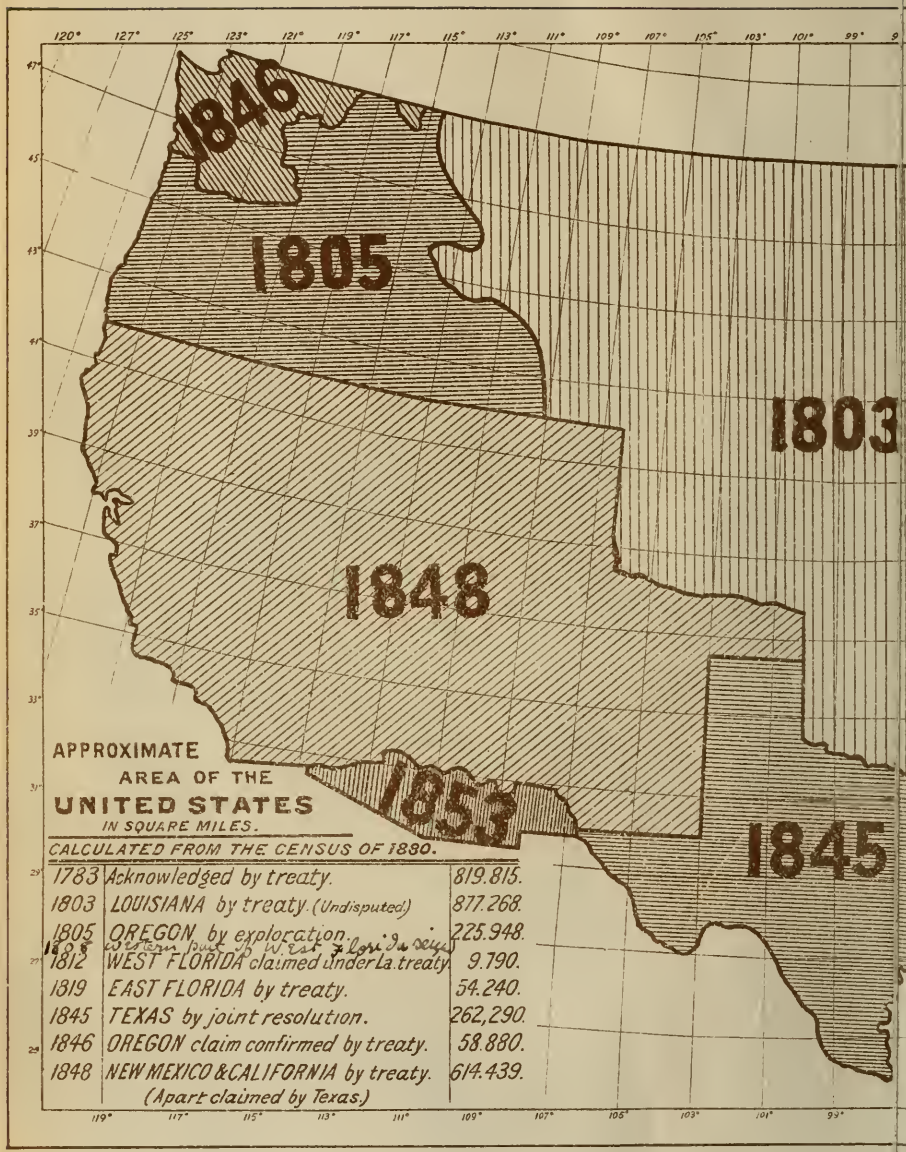
Republican Administration 1808 James Madison 122 — Republican.
Charles C. Pinckney 47 — Federalist.

Republican Administration 1812 James Madison 128 — Republican.
De Witt Clinton 89 — Federalist.

Republican Administration 1816 James Monroe 183 — Republican.
Rufus King 34 — Federalist.

Republican Administration 1820 James Monroe 231 — Republican.
John Quincy Adams 1 — "

1824 Andrew Jackson 99 — Republican
John Quincy Adams 84 — "
Wm H. Crawford 41 — "
Henry Clay 37 — "




APPROXIMATE AREA OF THE **UNITED STATES** IN SQUARE MILES.

CALCULATED FROM THE CENSUS OF 1880.

| | | |
|---|---|---|
| 1783 | Acknowledged by treaty. | 819.815. |
| 1803 | LOUISIANA by treaty. (Undisputed) | 877.268. |
| 1805 | OREGON by exploration. | 225.948. |
| 1812 | WEST FLORIDA claimed under La. treaty | 9.790. |
| 1819 | EAST FLORIDA by treaty. | 54.240. |
| 1845 | TEXAS by joint resolution. | 262,290. |
| 1846 | OREGON claim confirmed by treaty. | 58.880. |
| 1848 | NEW MEXICO & CALIFORNIA by treaty. (Apart claimed by Texas.) | 614.439. |

1783
1803
1819
MAP
SHOWING THE
TERRITORIAL GROWTH
OF THE
UNITED STATES
DRAWN BY
ALBERT BUSHNELL
HART, PH.D.
1853 GADSDEN purchase by treaty 47.330.
1867 ALASKA by treaty 531.409.
PRESENT AREA, .... 3,501,409.

Population of the United States at each decennial period in round numbers:

1790: — 4,000,000.
1800: — 5,250,000.
1810: — 7,250,000.
1820: — 9,500,000.
1830: — 13,000,000.
1840: — 17,000,000.
1850: — 23,000,000.
1860: — 31,500,000.
1870: — 38,500,000.
1880: — 50,000,000
1890: —

Order of admission of states up to 1822.

Delaware (Slave) . . . . . 1787
Pennsylvania, . . . . . 1787
New Jersey, . . . . . 1787
Georgia, (Slave) . . . . . 1788
Connecticut, . . . . . 1788
Massachusetts, . . . . . 1788
Maryland, (Slave) . . . . . 1788
South Carolina (Slave) . . . . . 1788
New Hampshire, . . . . . 1788
Virginia, (Slave) . . . . . 1788
New York, . . . . . 1788
North Carolina, (Slave) . . . . . 1789
Rhode Island, . . . . . 1790

Vermont . . . . . 1791
Kentucky (Slave) . . . . . 1792
Tennessee (Slave) . . . . . 1796
Ohio . . . . . 1802
Louisiana (Slave) . . . . . 1812
Indiana . . . . . 1816
Mississippi (Slave) . . . . . 1817
Illinois . . . . . 1818
Alabama (Slave) . . . . . 1819
Maine . . . . . 1820
Missouri (Slave) . . . . . 1821.

Thomas Willing Balch
1412 Bruce Street
Philadelphia
35 Thayer Hall
Harvard University
HISTORY 13 & 17
Sep. 28th, 1889.

# TOPICAL OUTLINE

OF THE COURSES IN

# Constitutional and Political History

OF THE

# UNITED STATES

GIVEN AT HARVARD COLLEGE IN THE ACADEMIC YEAR

1888–1889

BY

ALBERT BUSHNELL HART.

PART I. (1783-1829)

CAMBRIDGE:
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1888.

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# TOPICAL OUTLINE.

## METHODS OF THE COURSES.

### § 1. Methods.—Historical study general.

(*G. Stanley Hall, Methods of Teaching and Studying History.*)

1. A systematic plan of study.
2. Selection of historical courses.
3. Order of historical courses.
4. Systematic arrangement of study hours.
5. The use of libraries.
6. The use of bibliographical helps.
7. The use of books.
8. The use of dates.
9. The use of maps.
10. The use of graphic illustrations.

### § 2. Methods.—Work of the Librarian.

1. The card catalogue: *W. C. Lane's "Subject Catalogue U. S. History.*
2. Other catalogues and aids.
3. General reference books.
4. Periodicals.
5. Atlases.
6. Congressional debates.
7. "Reserved books."
8. "Selected books."
9. The "Stack."
10. Special reference library in United States History. *Work of Students*, § 18.

### § 3. Methods.—Work of the Investigator.

Detailed suggestions will be found in the Circular on the *Work of Students*, §§ 20-28, 32-33.

1. Choice of a subject.
2. Search for authorities.
3. Taking notes.

4. Arrangement of material.
5. Composition.
6. Bibliographical notes.

### § 4. Methods.—Work of the instructor.

1. Object of instruction.
2. Arrangement of the course.
3. Preparation of the "Outline."
4. Lectures: *Work of Students*, §§ 3-7.
5. Description of the work of students.
6. Graphic illustrations.
7. References.
8. Reservation of books.
9. Answering questions.
10. Advice.
11. Current topics.

### § 5. Methods.—Work of the Student: *W. of S.*, § 1.

A circular has been prepared containing directions and suggestions for the students in History 13, 17, and 20(d), together with lists of lectures, of general readings, and of books desirable to own.

1. Object.
2. Attendance: *Work of Students*, § 4.
3. Note-taking: *Work of Students*, § 5.
4. Historical geography: *Work of Students*, § 9.
5. Reading: *Work of Students*, § § 10-18.
6. "Special Reports": *Work of Students*, §§ 19-27.
7. Memorizing: *Work of Students*, § 28.
8. Written exercises: *Work of Students*, § 30.
9. Current topics: *Work of Students*, §39.
10. Examinations: *Work of Students*, §§ 34-38.
11. Questions.
12. Lectures: *Work of Students*, § 8.
13. Theses: *Work of Students*, §§ 31-33.

### § 6. Methods.—The Outline.

This "Outline" is prepared for the use of students in the courses in the History of the United States, at Harvard College, and under the Society for the Collegiate Instruction of Women. Students are ex

pected to keep it before them during the lectures, as an analysis of the subject at that moment under discussion. Outside the lecture-room it is intended to aid the student in various ways: it is a summary of the course; it indicates precisely the reading necessary in connection with each topic; and references more detailed are often introduced, as a guide to an investigation of a particular topic, deeper than is necessary in the work of the class, or for use after leaving college.

§ 7. **The Outline.—Form.**

The outline is divided into topics, consecutively numbered: the sequence is logical, but not always chronological. Appended to most of the topics is a list of specific references bearing upon that topic; these are arranged in the order of their value to the student, the references considered best coming first. The following special characters are used: BIBL. indicates a bibliography; °indicates the full text of a document; △ indicates significant extracts; □ indicates an abstract. Very important topics or subjects are pointed out by an asterisk (*). The paragraph (§) refers, by number, to topics in the outline.

§ 8. **The Outline.—Use.**

The student will be expected to read one of the references under each topic; where a particular reference is denoted by an asterisk it is considered of especial value. They are advised so to arrange their reading as to acquaint themselves with a number of different writers. In order to furnish sufficient books, every work cited will be reserved in Alcove No. 9 of the Reading Room of the College Library, or in the Reference Library in United States History. Duplicate or triplicate sets of the most important books will be provided.

## AUTHORITIES.

§ 9. **Authorities.—Classification by origin.**

In later paragraphs will be found the titles of a very few selected works under some of the heads given below.

**I. Helps.**

1. Books on historical methods.
2. Bibliography.

3. Chronology.
4. Compendiums.
5. Compilations.
6. Maps and atlases.

II. Secondary.

1. General histories
2. Local histories.
3. Special histories.
4. Biographies.
5. Monographs.
6. Periodicals.
7. General literature.

III. Sources.

1. Archives.
2. Printed records.
3. Collection of documents and speeches.
4. Collections of societies.
5. Works of statesmen.
6. Autobiography, and published reminiscences.
7. Contemporary literature.
8. Contemporary newspapers and periodicals.
9. Private manuscript.
10. Personal reminiscences.

§ 10. **Authorities. Classification by subject.**

1. Methods and appliances.
2. Geography.
3. States and local.
4. Personal.
5. Constitutional.
6. Political.
7. International.
8. Military.
9. Economic.
10. Social.
11. Slavery.

1. Methods and appliances.
2. Authorities.
3. Geography.
4. Social.
5. Constitutional.
6. States.
7. Political.
8. International.
9. Economic.

### § 11. Authorities.—Helps.—Selected Works.

**Books on historical methods.**

*Charles Kendall Adams: Manual of Historical Literature.*
*G. Stanley Hall: Methods of teaching and studying History.*
*Hall and Mansfield: Hints toward a Bibliography of Education.*

**Chronology.**

1492-1883. *Ploetz: Epitome of Universal History.*

**Compendiums.**

*Cluskey: Political Text-Book.*
*Cooper: American Politics.*
*Encyclopaedia Americana.*
*Lalor: Cyclopaedia of Political Science.*
*New American Cyclopaedia.*
*Encyclopaedia Britannica (especially Art. United States).*

**Compilations.**

*Annual American Cyclopaedia.*
*American Almanac.*
*Statistical Abstract (Quarterly).*
*Tribune Almanac.*
*Whig Almanac.*

**Maps and Atlases.**

*Cass's Map of the United States (for the wall).*
*Colton's Atlas.*
*Land Office Map* ($1.50).
*Labberton's Historical Atlas.*
*Mitchell's Atlas.*
*Scribner's Statistical Atlas.*

### § 12. Authorities.—Helps.—Select Bibliographies.

*Charles K. Adams:* in his *Manual of Historical Literature.* N. Y. Harper & Brothers, 1882.

*John G. Allen: Topical Studies in American History.* Rochester, Scrantom, Wetmore & Co., 1885.

*William F. Allen: History Topics for the use of High Schools and Colleges.* Boston. D. C. Heath & Co., 1886.

*Boston Athenæum: Catalogue of the Library.* Boston, 1874-1882.
*Brooklyn Library; Catalogue.* Brooklyn, 1877-1880.
[*Charles F. Dunbar*]: *Political Economy VIII.* [*History of Financial Legislation in the United States.*] [Cambridge, printed by William H. Wheeler, 1886.]
[*Charles F. Dunbar*]: *Topics and References in Political Economy, IV.* [*Economic History of Europe and America since the Seven Years' War.*] Cambridge, William H. Wheeler, 1885.
*William E. Foster: Monthly Reference Lists.* N. Y. 1881-1884.
*William E. Foster: References to the History of Presidential Administrations.* N. Y., Society for Political Education, 1885.
*Albert B. Hart: Outlines of Courses given at Harvard College: History* 13, *years* 1883-84, 1884-85, 1885-86, 1886-87. *History* 18, *year* 1885-86. Cambridge, William H. Wheeler, 1883-1887.
*Harvard College Library: Card Catalogue; Authors and Subjects.*
*Alexander Johnston: American Politics*, pp. VIII-X. Holt, N. Y., 1885.
*Alexander Johnston: Bibliographies appended to various articles in Lalor's Cyclopaedia of Political Science.* Chicago, Andrews, 1881-1884.
*Leypoldt's American Catalogue.* New York, 1881-1885.
*Library of Congress: Catalogue: Subject Index.* Washington, Government Printing Office, 1869.
*Peabody Institute of the City of Baltimore: Catalogue of the Library* [A to L]. Baltimore, 1883.
*W. F. Poole: Index to Periodical Literature.* Boston, 1882-1886.
*Ben Perley Poore: Descriptive Catalogue of Government Publications.* Washington, 1885.
*Public Library of the City of Boston: Catalogue of the Books in Bates Hall, and Supplement.* Boston, 1861-1866.
*John T. Short: Historical Reference Lists.* Columbus, A. H. Smythe, 1882.
*Martin L. Smith: Brief Compend of the History of the U. S.* Boston and New York, Leach, Shewell and Sanborn, 1886.
*State Library of Massachusetts: Catalogue.* Boston, Rand, Avery & Co., 1880.

[*Frank W. Taussig*]: *Topics and References in Political Economy, VI.* [*History of Tariff Legislation in the United States*]. Cambridge, William H. Wheeler, 1886.

*George A. Williams: Topics and References in American History.* Syracuse, C. W. Bardeen, 1886.

### § 13. Authorities.—Secondary.—Selected Works.

**General Histories.** The most important general works are mentioned in the pamphlet on the "Work of Students," §§ 13-17.

**Local Histories.** A good list of selected State histories will be found in *W. F. Allen's History Topics*, *p.*—; and there is a brief bibliography at the end of each article upon a State in *Lalor's Cyclopaedia*. The *American Commonwealth Series* is particularly recommended.

**Biographies.** Select lists of biographies useful in the study of American history are printed in *W. F. Allen's History Topics*, *p.* —; and in *Johnston's American Politics*, *p. ix.* The most useful biographies for the student are those in the *American Statesmen Series*.

**Monographs.** Valuable monographs on various topics connected with American history—chiefly on administrative and local government—are contained in the *John Hopkins University Studies*, in the *Wharton School Annals*, and in the publications of the *American Historical Association*. Very many may be found in the collections and proceedings of learned societies.

**Periodicals.**

In the following periodicals are to be found very valuable articles on the history of the United States. *Poole's Index* is a key to most of them, and there are numerous special indexes.

*Andover Review*
*Atlantic Monthly.*
*Bibliotheca Sacra.*
*Century Magazine.*
*Galaxy.*
*Harper's Monthly.*
*International Review.*
*Magazine of American History.*

*Nation.*
*New Princeton Review.*
*New Englander.*
*Niles' Weekly Register.*
*North American Review.*
*Pennsylvania Magazine of History and Biography.*
*Political Science Quarterly.*
*Quarterly Journal of Economics.*
*Scribner's Monthly.*

### § 14. Authorities.—Sources.—Selected Works.

#### Collection of documents and speeches.

*Francis Bowen: Documents from Magna Charta to 1789.*
*Alexander Johnston: Representative American Orations.*
*H. Niles: Principles and Acts of the Revolution.*
*H. W. Preston: Documents illustrative of American History.*
*Ben Peerley Poore: Charters and Constitutions.*
*E. Williams: Statesman's Manual.*

#### Works of Statesmen.

The most important sets of collected works are those of *John Adams, Calhoun, Clay, Franklin, Gallatin, Hamilton, Jay, Jefferson, Madison, Seward, John Sherman, Sumner, Washington and Webster.*

#### Autobiography and reminiscence.

Interesting books, more or less autobiographical have been written by *John Quincy Adams, S. S. Cox, S. G. Goodrich, Horace Greeley, James A. Hamilton, G. W. Julian, Amos Kendall, E. D. Keyes, Samuel J. May, Ben Perley Poore, Josiah Quincy, Winfield Scott, W. A. Seward, John Trumbull, and Thurlow Weed.*

### § 15. Authorities.—Sources.—Records of Congress.

A. Journals of Congress.

1775-1788. *Journals and Secret Journals.*
1789-1885. *House Journals and Senate Journals.*

B. Official Reports of the Debates in Congress.

1789-1823. *Annals of Congress.*
1824-1837. *Congressional Debates.*
1833-1873. *Congressional Globe.*
1873-x. *Congressional Record.*
1789-1850. *Benton's Abridgment, 16 Vols.*

C. Documents.

1786-1815. *American State Papers* (octavo).
1789-1859. *American State Papers* (folio).
1789-x. "*Public Documents*": quoted by sessions of Cong.
*a.* "*Executive Documents*" (Senate and House).
*b.* "*Reports*" (Senate and House).
*c.* "*Miscellaneous*" (Senate and House).
*d.* "*Documents.*"

D. Statutes.

§ 16. **Authorities.—Records of the Executive.**

1775-x. Archives of the departments.
1789-x. *President's Messages* (in the Reports of Debates, at the beginning of each session); also in *Executive Documents* and *Messages and Documents:* reprinted in *Williams' Statesman's Manual* (*to* 1849).
1778-1885. "*Treaties and Conventions.*"
1789-1885. Departmental publications and reports.
1790-1880. Census publications.

§ 17. **Authorities.—Judicial Records.**

1789-1885. 1. *Statutes at Large.*
2. *Revised Statutes.*
1790-1885. 3. Official *Reports of the Decisions of the Supreme Court.*
1790-1800. *Dallas.*
1800-1815. *Cranch.*
1816-1827. *Wheaton.*
1827-1842. *Peters.*
1843-1860. *Howard.*
1860-1863. *Black.*
1863-1875. *Wallace.*

Read: Johnson's American Politics, pps. 1-17;

Von Holst's Constitutional Law pps 2-7;

Cooley's Constitutional Law pps. 6-8.

Lodge's Short History of the English Colonies in America pps, 41-92, 460-521;

Narrative and Critical History of America. Vol VII. pps 215-231.

1875-x. *Otto.*
1781-1854. *Curtis.*
1854-1862. *Miller.*

4. *Digests.*

## PRELIMINARY CONCEPTIONS.

### § 18. Preliminary Conceptions.—What is History?

#### I. Basis of investigation.

Theory of natural science: *Buckle's History of Civilization.*
Theory of study of the individual.

#### II. Form of presentation.

Annals.
Biographies.
Special histories.
General histories.

#### III. Point of view.

Military.
Political.
Diplomatic.
Economic.
Social.
Institutions.

An involuntary expression of national character.
Bearing on the most important phases of human life.
Importance in the discovery of causes.
Reflex influence on history.

#### IV. Use of History.

Experience of National development.
Acquaintance with human nature.
Moral training.

#### V. Interest of American history.

### § 19. Preliminary Conceptions.—What is Politics?

*Lalor's Cyclopædia*, III. 268-278.
Greek conception.
German conception.
American conception.
Relations of parties to history.

Jameson p. 74–5.

Cumulative Constitutions (Rome & England)

Enacted Constitutions (United States).

Considered with reference to their origin or mode of development

Unwritten Constitutions

Written Constitutions.

Considered with reference to their characteristic qualities as [illegible] or instruments of [illegible]

**§ 20. Preliminary conceptions.—What is a Constitution?**

*Jameson's Constitutional Convention*, 66-84; *Lieber, On Civil Liberty and Self Government*, I. 324-325; *Tiffany's Constitutional Law*, 28; *Cooley's Constitutional Limitations*, 12.

I. Definitions.

II. Objective form.

1. Absolute monarchy.
2. Aristocracy.
3. Limited monarchy.
4. Representative democracy.
5. Pure democracy.

III. Unwritten.

Origin.
Objections to.
Alterations in.

IV. Written: *Jameson's Constitutional Convention*, 75-82; *Macy* 157-159.

Origin.
Inadequacy.
Interpretation.
Essential conditions.
Connection with history.

V. Interest of the Constitution of the United States.

Development of English institutions.
Influence on federation.
Influence on republicanism.
Influence on the history of the United States.

**§ 21. Preliminary conceptions.—What is a State?**

*Woolsey's Political Science*, I. 139-198; *Crane & Moses*, 3-5.

1. Territory.
2. People.
3. Organism.
4. Direction.
5. Constitution.
6. Purpose.

**§ 22. Prellminary conceptions.—What is a Federal State?**

*Lalor's Cyclopaedia*, I. 571-574; *Tucker's Blackstone*, I. 71-75; *Washington's Works*, IX. 534-538.

Policy of general hostility.
Policy of alliances.
Policy of balance of power.
Policy of confederation (Staatenbund).
Policy of federal union (Bundesstaat).

### § 23. Preliminary conceptions.—What are or is the United States?

*See* §§ 87-92; *Von Holst's Constitutional Law*, § 14, *pp.* 47-50.
Connection with early institutions.
Connection with the world's history.
Ebb and flow of the spirit of union.
Contests between the central and local powers.
Division of parties on the question of nationalization.
Principal political theories.
State sovereignty.
National sovereignty.
National supremacy and local autonomy.

### § 24 (1492-1885.) Preliminary conceptions.—Course of American History.

*Draper's Civil War in America*, I. 35-38.

**I. (1492-1750.) Colonization.**

1. 1492-1606. Discovery.
2. 1606-1689. Settlement.
3. 1689-1750. Development.
4. 1750-1755. Colonial institutions.

**II. (1750-1789.) Revolution.**

1. 1754-1763. French and Indian War.
2. 1763-1775. Quarrel with England.
3. 1775-1783. Revolutionary war.
4. 1778-1787. The Confederation.
5. 1787-1789. The Constitution.

**III. (1789-1829.) Federation.**

1. 1789-1801. Organization (Washington and John Adams.)

2. 1801-1815. Foreign complications (Jefferson and Madison).
3. 1815-1829. Consolidation (Monroe and J. Q. Adams).

**IV. (1829-1861.) Slavery.**

1. 1829-1841. Administration (Jackson and Van Buren).
2. 1841-1849. Territorial questions (Tyler and Polk).
3. 1849-1853. The Compromise (Taylor and Fillmore).
4. 1853-1860. The Slavery Conflict (Pierce and Buchanan).
5. 1860-1861. Secession (Lincoln).

**V. (1861-1885.) Union.**

1. 1861-1865. The Civil War (Lincoln).
2. 1865-1877. Reconstruction (Johnson and Grant).
3. 1877-1885. Administrative questions (Hayes and Arthur).

## BASIS OF THE UNITED STATES.

### § 25. (1750.) Basis of the United States.—The Land.

1606-1750. Physical Geography of North America: *Draper*, I. 38-48.
1606-1750. Political Divisions of North America: *Map.*
1750. External boundaries of the British Colonies: *Map.*
1750. Internal division of the British Colonies: *Map.*
1750. Question of title to the soil.
Climate of North America: *Draper*, I. 48-59.
Resources of North America: *Draper*, I. 59-62.
Geology of North America: *Draper*, I. 63-79.
Staple Crops of North America: *Draper*, I. 85-88.

### § 26. (1750.) Basis of the United States.—The Peope.

*Lodge's English Colonies in America, ch.* II, *ch.* XVIII; *McMaster's History of the People of the United States*, I. *ch.* I: *Crane and Moses*, 81-85.
1606-1750. Sources of immigration—races.
1606-1750. Character of the Anglo-Saxon race.
1750. The population: *Diagram.*
1750. Distribution of population: *Map.*
Effect of climate: *Draper*, I. 89-125.

§ 27. (1750.) **Basis of the United States.—English Constitution.**

449-1689. Historical view.
1680-1750. Theory of the British constitution.
1689-1750. Conventional view: *Montesquieu's Esprit des Lois, Liv.* XI. *chap.* I-VI.
1750. Actual constitution of England.
1888. Present " " " *Macy*, 150-157.

§ 28. (1750.) **Basis of the United States.—English free institutions.**

*Frothinghams's Rise of the Republic*. 11-32; *Bancroft's U. S.* II. *ch.* XVII; *Story's Commentaries*, §§ 146-188; *Crane & Moses*, 88-91; *Macy*, 1-8.

1. Rights of Englishmen.
2. English representative institutions.
3. Principle of local self-government.

§ 29. (1750.) **Basis of the United States.—English control of the Colonies.**

*Lecky's England*, II. 2, III. 272, 299; *Bancroft's U. S.* III. 1-12, 100-108; *Bancroft's U. S.* (*last rev.*), II. 70-85.

Control by the Crown.
Control by the Board of Trade.
Control by Parliament.
Desire to extend control.

§ 30. (1750.) **Basis of the United States.—English Commercial System.**

*Lecky's England*, II. 8-12: *Seeley's Expansion of England*, 62-72; *Bancroft's U. S.* (*last rev.*), II. 238-251; *Lecky's England*, III. 5-11: *Higginson's U. S.* 216-240.

Navigation acts.
Restraints on internal industry.
Principles of taxation.

**§ 31. (1750.) Basis of the United States.—Colonial government.**

*Story's Commentaries*, §§ 159-168, 171-178; *Lecky's England*, II. 1-5; *Channing in Encyclopaedia Britannica, Am. Supplement*; *Porter's Outlines of U. S. Constitutional History*, 1-35; *Crane and Moses*, 91-125.

Division into Charter, proprietary and provincial governments.
General form of colonial governments.
System of representation.
Legislative powers.
Executive powers: veto.
Colonial judiciary: judicial construction of laws.
Colonial jurisprudence.
Colonial land-tenures.
Inter-colonial relations.

**§ 32. (1750.) Basis of the United States.—Local government.**

*Channing's Town and County Government (in Johns Hopkins University Studies*, II. *No. 10)*; *H. B. Adams' Germanic Origin of New England Towns (in Johns Hopkins University Studies*, I. *No. 2)*; *Frothingham's Rise of the Republic*, 13-32; *Macy*, 8-12.

English origin of local government in the colonies.
County system.
Town and parish system.
Borough system.
Effect of local government on development.

**§ 33. (1750.) Basis of the United States.—Colonial life.**

*Lecky's England*, II. 11-21; *Draper's Civil War*, I. 146-171.

Industries of the Colonies.
Political character of the colonists.
Social life in the Colonies.
  The Colonial press.
  Education.
  Religious life.
Slavery: *Wilson's Slave Power*, I. 1-7.
Slave trade: *Schuyler*, 233-234.
Spirit of union and independence.

§C. O. 335; Frothingham's Rise of the Republic 11-12;
Lecky's Eighteenth Century iii, 297-300.
C. O. § 422; Curtis's Constitution, i. p. 3-10.

C. O. § 171-175; Winthrop ii 99-101;
The Tapt: O Gilmman's United States, 601-607
O Hazards Collections, ii. 1-6.
C. O § 337; Frothingham's Rise of the Republic, 86-93.
C. O § 339. Frothingham's Rise of the Republic 120-50.
Bancroft's U. S (final ed.) 333-337
C. O § 339 Frothingham's Rise of the Republic 118-120.
C. O § 338 Frothingham's Rise of the Republic 108-117.
Lecky's England in Eighteenth Century iii, 274;
Holdreth's U. S ii, 178.
C. O. 341; Frothingham's Rise of the Republic 130-4;
Franklin's Works iii - 23-24
Bancroft's U. S. iv. 160
Bancroft. U. S. iv. 175
" " " 272

## ORIGIN OF THE UNION (1754-1781).

*Von Holst's Constitutional Law*, §. 2, *pp.* 3-7; *Woolsey's Political Science*, II. 236-243.

### § 34. (1607-1775.) Colonial Union.—Elements.

*Frothingham's Rise of the Republic*, 11-14; *Lecky's England*, III. 279-300: *Draper's Civil War*, I. 159-164, 253-265; *Woolsey's Political Science*, II. 236-238; *Crane and Moses*, 126-134.

1606-1750. Tendencies to Union: *Colonial Outline*, § 335.
1750-1755. Difficulties of Union: *Colonial Outline*, § 422.
1750-1755. Reasons for Union: *Colonial Outline*, § 422.
1750-1775. Connection of Union and Independence.

### § 35. (1643-1750.) Colonial Union.—Schemes.

*Bancroft's U. S.* (*last rev.*), VI. 7-8; *Bancroft's Constitution*, I. 6-8; *Lalor's Cyclopaedia*, II. 1010, III. 992: *Lodge's Colonies*, 351-358; *Porter's Outlines*, 36-37; *Woolsey's Political Science*, II. 238-240.

1643-1684. "The United Colonies of New England": *Map; Colonial Outline*, §§ 171-175.
1690. Leisler's Convention: *Map; Colonial Outline*, § 337.
1690-1750. Joint Indian treaties: *Colonial Outline*, § 339.
1690-1750. English suggestions and plans: *Colonial Outline*, § 338.
1690-1750. Suggestions of Colonial governors: *Colonial Outline*, §§ 338, 341.

### § 36. (1754-1774.) Colonial Union.—Experience.

*Curtis' Constitution*, I. 7-27; *Lalor's Cyclopaedia*, I. 45, III. 633, 787, 636, I. 589-590; *Lodge's Colonies*, 476-491; *Bancroft's U. S.* (*last rev.*), VI. 8-10; *Bancroft's Constitution*, I. 8-11; *Hildreth's U. S.* II. 442-444, 529-531, III. 38-46; *Frothingham's Rise of the Republic*, 130-150, 177-189, 358-381; *Draper's Civil War*, I. 257-260; *Woolsey's Political Science* II. 240-242.

1754. Congress of Albany: *Colonial Outline*, § 340.
1754-1763. Joint action in the French and Indian War.
1765. Stamp Act Congress: *Colonial Outline*, § 379.
1772-1773. Committees of Correspondence: *Colonial Outline*, § 393.
1774. First Continental Congress: *Colonial Outline*, §§ 404-408.
1774. Union still voluntary.

### § 37. (1775-1781.) The Union.—A general government in the Continental Congress.

*Story's Commentaries*, §§ 203-205, 212-214: *Curtis' Constitution*, I. 28-39, 61-62; *Frothingham's Rise of the Republic*, 417-420, 428-

C. 9 & 423; 9 Journals of Congress 1, [illegible]. [illegible]
" 424; Curtis's Constitution 1, 29-30, 9 Journals of Congress [illegible]
" 4[illegible]; Morse's John Adams 86-91, Frothingham 419-20.
" 4[illegible]; Frothingham; 41[illegible]-[illegible], 428-[illegible], 4[illegible]9-60.
Morse's Jefferson 21-2[illegible].

439, 459-460, 484-489; *Morse's John Adams*, 86-91, 114-115, *and Morse's Jefferson*, 21-28; *Hildreth's U. S.* III. 76-79, 87-88; *Woolsey's Political Science*, II. 242-243.

1775. May 10. Meeting of the Second Continental Congress: *Colonial Outline*, § 426.

1775. Derivation of its authority: *Colonial Outline*, §§ 423-424.

1775. Recommendations to the States: *Colonial Outline*, § 427.

1775-1781. Assumption of sovereign powers: *Colonial Outline*, § 429.

### § 38 (1775-1776.) The Union.—Constitutional Origin.

*Story's Commentaries*, §§ 201, 213-216; *Von Holst's U. S.* I. 1-13; *Curtis' Constitution*, I. 39-41; *Lalor's Cyclopaedia*, I. 589-592; II. 931-932; *Bancroft's U. S. (first ed.)* VII. 353-357; *Macy*, 164-168.

BIBL.: *Lalor's Cyclopaedia*, I. 592.

1. Theory of delegation by independent colonies.
2. Theory of government *de jure* founded on the sovereignty of the American people.
3. Theory of government *de facto*, founded on popular consent.

## ORIGIN OF INDEPENDENCE (1750-1781).

### § 39. (1690-1775.) Independence.—Elements.

*Frothingham's Rise of the Republic*, 30-31, 154, 197-200, 403-406.

1690-1750. Character of the Anglo-Saxon Race.

1690-1750. Principles of local independence.

1690-1750. Predictions of independence: *Colonial Outline*, § 445.

1750-1763. Effect of the French and Indian War.

1763-1775. Effect of the cession of Canada.

1763-1775. Effect of the British commercial system.

1763-1775. Effect of the dispute on taxation.

1763-1775. Influence of Sam Adams and others: *Colonial Outline*, § 446.

1763-1775. Renewed predictions: *Colonial Outline*, §§ 445-446.

1775. Loyalty to the Crown at the outbreak of the Revolution.

### § 40. (1772-1775.) Independence.—Preliminary steps.

*Frothingham's Rise of the Republic*, 422-425, 441-455, 463-484, 489-490, 499-538; *Hildreth's U. S.* III. 124-126, 131-136; *Bryant*

c. 0 § 445; Bancroft's U.S. VII, 118.
Frothingham Rise of the Republic, 154, n
Bancroft's U.S. VIII 464-65.
△ Frothingham 198-200
▲ " 197
/ " 402, n.

*and Gay's U. S.* III. 471-484; *Morse's John Adams*, 83-86, 103-129; *Bancroft's U. S. (last rev.)*, IV. 310-332, 422-425, 436-451; *Higginson's U. S.* 265-273.

1773-1774. Local resolutions favoring.

1775. May 31. Mecklenburg Resolutions: *Colonial Outline*, § 445.
Oct. 31. News of the rejection of the petition by the Crown.
Nov. 3. Advice to New Hampshire to form a government.

1776. Mar.-June. Instructions of the States.
May 16. Adams' resolution for suppressing royal authority.
June 1-11. Lee's resolution for independence, alliance and confederation.
June 28-July 2. Independence voted: *Colonial Outline*, § 446.

### § 41. (1776.) Independence.—The Declaration.

*Von Holst's U. S.* I. 20-35; *Curtis' Constitution*, I. 51-52; *Frothingham's Rise of the Republic*, 539-548, 553-560; *Higginson's U. S.* 268-276; *Lalor's Cyclopædia*, I. 734-746, II. 743-745; *Morse's Jefferson*, 26-40. BIBL.: *Preston*, 211; °*Preston*, 211-217.

Origin of the ideas: *Colonial Outline*, § 450.

Authority for making it.

Question of the slave-trade.

Analysis of the Declaration: *Colonial Outline*, § 452.

*a*. The preamble.

*b*. Statement of "self-evident truths."

*c*. Statement of grievances.

*d*. Appeal to "our British brethren."

*e*. Statement of independence.

Who was made independent?

### § 42. (1775-1778.) Independence.—Birth of the States.

*Hildreth's U. S.* III. 69-74, 76, 89-95, 113-118, 126-131, 135, 161, 183-185, 374-395; *Story's Commentaries*, §§ 208-212; *Frothingham's Rise of the Republic*, 441-444, 447-449, 450-451, 481-482, 491-493, 564-568; *Higginson's U. S.* 293-295.

1774-1775. Colonial government dissolved: *Colonial Outline*, § 439.

1775-1776. New state governments recommended by Congress: *Colonial Outline*, § 440.

1775-1777. Formation of new state governments: *Colonial Outline*, § 441.

1775-1781. Why were the States republics? *Colonial Outline*, § 442.

1775-1777. Form of the State constitutions: *Colonial Outline*, § 444
1775-1781. Were the States sovereign? *Colonial Outline*, § 443.

**§ 43. (1775-1781.) Independence and union.—Is the Union older than the States?**

*Von Holst's U. S.* I. 5-22, 27-36; *Curtis' Constitution*, I. 39-40 116-122; *Sage's Republic of Republics*, 274-286; *Story's Commentaries*, §§ 212-217; *Stephens*, I. 54-81; *Von Holst's Constitutional Law*, 6-8.

1. *Particularist view: *Calhoun's Works*, I. 190.
2. *View of a temporary alliance: Jefferson in *Von Holst*, I. 7 *n*.
3. *National view: *Lincoln in Congressional Globe*, 1861, *Special Session*, *Appendix*.
4. Was there a "people?" *Davis' Confed. Govt.*, I. 114-120.

## ORIGIN OF THE FEDERAL UNION (1776-1781).

**§ 44. (1776-1778.) The Confederation.—Elements.**

*Von Holst's U. S.*, I. 13-19: *Story's Commentaries*, §§ 243-244; *Hildreth's U. S.* III. 397-399; *Frothingham's Rise of the Republic*, 569-571: *Crane and Moses*, 135-141.

Nature of federal government.
Ancient confederacies.
Swiss, Dutch, and German confederacies.
Colonial confederacies.
Necessity of some central government.
Effect of common English control.
Difficulties of forming an acceptable plan: *Colonial Outline*, § 489.

**§ 45. (1776-1781.) The Confederation.—Formation and ratification.**

*Lalor's Cyclopaedia*, I. 591-592: *Story's Commentaries*, §§ 222-224; 226, 259 *n*; *Curtis' Constitution*, I. 104, 113-114, 124-140, 491-492, 498-507; *Bancroft's U. S.* (*last rev.*) IV. 243-244, 260, 316-317; V. 10-15, 283-284; *Donaldson's Public Domain*, 59-60, 146; *Draper*, I. 260-265. BIBL.: *Preston's Docs.* 219; °*Preston*, 219-231.

1775-1777. The three drafts: *Colonial Outline*, §490.
1776. Question of representation for slaves.
1777. Question of the public lands.
Nov. 10. The articles submitted to the States.
1778. Conquest of the Northwest: *Colonial Outline*, § 494.

1778-1781. Ratification delayed by Maryland: *Colonial Outline*, § 495.

1781. Mar. 1. The articles in effect.

### § 46. (1781.) Articles of Confederation.—Discussion.

*Curtis' Constitution*, 149-151; *Bancroft's U. S. (last rev.)* v. 199-208; *Von Holst's U. S.* I. 20-24; *Frothingham's Rise of the Republic*. 576-577; *Pollard's Lost Cause*, 35-37; *Stephens*, I. 50-54; *Von Holst's Constitutional Law*, 7-11.

1781. *The text: °*Johnston's American Politics*, 248-261.

1781. *Summary: *Lalor's Cyclopaedia*, I. 574-575; *Curtis' Constitution*, I. 142-149; *Story's Commentaries*, §§ 229-242; *Schouler's U. S.* I. 16-17; □ *Woolsey's Political Science*, II. 243-245.

1. Comparison with Congress.
2. Comparison with the former English system.
3. Comparison with the Constitution.

### § 47. (1781.) Articles of Confederation.—Defects.

*Curtis' Constitution*, I. 146-149, 221-223; *Story's Commentaries*, §§ 245-271, 265; *Bancroft's U. S. (last rev.)*, V. 454-455, 508; *Schouler's U. S.* I. 16-17; *Lalor's Cyclopaedia*, I. 575-576; *Stephens*, I. 82-90; *Von Holst's Constitutional Law*. 10-15; *Woolsey's Political Science*, II. 245-248.

1. In form.
2. In powers granted.
3. In means of carrying out its powers.

### § 48. (1781-1788.) The Confederation.—Organization.

*Hildreth's U. S.* III. 401-404, 453-454, 456; *Bancroft's U. S. (last rev.)*, V. 508, VI. 25, 122-123; *Bancroft's Constitution*, I. 36, 164-167.

Congress: members and ways of doing business.

Election of members and instructions.

The President of Congress.

Executive boards and heads of departments.

Committee of States.

## TERRITORIAL QUESTIONS (1781-1789).

### § 49. 1750-1783. Territory.—Exterior Boundaries.

1750. Extent of the English colonies: *Map*.

1763. Extent of the English colonies: *Map*.

Treaty of 1783: Fisheries: *Schuyler*. III. 404-408.

1783. Boundaries by the treaty of peace: *Map.*
1783. Unsettled questions.
1783-1842. (1) Main boundary.
1783-1796. (2) Western posts.
1783-1795. (3) Spanish boundary.
1783-1818. (4) Northwest boundary.
1781-1803. Area of the United States.

### § 50. (1781-1802). Territory.—Northwest cessions.

*Donaldson's Public Domain*, 65-75, 86-87, 161: *Lalor's Cyclopaedia*, III. 914-917; *Blunt's Historical Sketch*, 73-85: *Curtis' Constitution*, I. 295-296, 299-301; *Bancroft's U. S.* (*last rev.*), VI. 96, 165-166, 279-280: *Bancroft's Constitution*, I. 122-128, 225-226, II. 100-102; *Hildreth's U. S.* III. 426, 448-449, 456, 462.

BIBL.: *Winsor's Hand-Book*, 296.

1775-1781. Advance of western settlement: *Colonial Outline*, §§ 357, 519.
1781. The claims of the states.
1781. Mar. 1. (1) New York cession: *Map.*
1784. Mar. 1. (2) Virginia cession: *Map.*
Mar. 13. (3) Massachusetts cession: *Map.*
1786. Sept. 19. (4) Connecticut cession: *Map.*
1800. April 28. (5) Connecticut cession of the Western Reserve.
1781-1802. Area of ceded territory.

### § 51. (1781-1802). Territory.—Southwestern cessions.

*Donaldson's Public Domain*, 75-81, 86-88, 161-163; *Lalor's Cyclopaedia*, III. 917-918: *Blunt's Historical Sketch*, 85-108: *Hildreth's U. S.* III. 458, 532-533, V. 350, 477, 453.
1787. Mar. 8. (1) South Carolina cession.
1790. April 2. (2) North Carolina cession.
1802. April 24. (3) Georgia cession.
1787-1802. Area of ceded territory.

### § 52. (1781-1788.) Territory.—Administration.

*Lalor's Cyclopaedia*, III. 1121, 31-34; *Donaldson's Public Domain*, 82-85, 147-149: *Curtis' Constitution*, I. 291-299; *McMaster's U. S.* 164-167: *Hildreth's U. S.* III. 449-450, 458; *Bancroft's Constitution*, I. 106-107, 138, 154, 158, 177-189, II., 102-103: *Bancroft's U.*

*S.* (*last rev.*), VI. 81-82, 103-104, 115-118, 131-134, 280.

1781-1788. Arbitration in territorial disputes of the states: *Colonial Outline*, § 516.

1781-1786. Propositions for a system of government: *Colonial Outline*, § 522.

1780. Oct. 10. (1) Fundamental resolution of Congress.

1784. (2) Jefferson's ordinance: slavery question.

1785. Mar. 16. (3) King's anti-slavery proposition.

### § 53. (1781-1789.) Territory.—Public Lands.

*Donaldson's Public Domain*, 83-84; *McMaster's U. S.* I. 140-141, 504, 508-513, 516-519; *Bancroft's Constitution*, I. 106, 158-159, 169-170, 176-178, 180-183; II. 99, 110-111, 116; *Bancroft's U. S.* (*last rev.*), VI. 81, 118-119, 126, 130-132, 134-135, 278, 286, 290.

Estimate of value of the lands.

Extinguishment of Indian title.

1781-1788. Proposition for a system of land sales: *Colonial Outline*, § 523.

1781. Nov. Report on a township system.

1784. May 7. Jefferson's plan.

1785. April. Grayson's ordinance.

Reservations of bounty lands.

1787. Sale of the triangle to Pennsylvania.

1787-1789. Ohio Company and Symmes contract.

### § 54. (1786-1789.) Territory.—Northwest Ordinance.

*Lalor's Cyclopaedia*, III. 31-34; *Draper's Civil War*, I. 180-182; BIBL.: *Preston*, 241; *Donaldson's Public Domain*, 148-156; *MacMaster's U. S.* I. 504-508; *Bancroft's Constitution*, I. 106, 138; II. 99-117; *Bancroft's U. S.* (*last rev.*), VI. 81, 104, 278-291; *Curtis' Constitution*, I. 301-309; *Hildreth's U. S.* IV. 527-529; *Higginson's U. S.* 306-307; °*Preston's Documents*, 241-250.

BIBL.: *Short's Reference Lists*, *pp.* 39-40; *Lalor's Cyclopaedia*, III. 34.

1783-1786. Schemes of the Western colonization.

1786-1787. Proposed revisal of the ordinance of 1780.

1787. May-July. Influence of the Ohio Company.

July 13. *Ordinance passed. °*Donaldson's Public Domain*, 153-156; *Journals of Congress*, XII. 85-93.

(*a*) Government of the territory.
(*b*) "Compact" with the future states.
(*c*) Admission of new states.
(*d*) Slavery and fugitives.

## FINANCES OF THE CONFEDERATION (1781-1789).

### § 55. (1781-1788.) Finances.—System.

*MacMaster's U. S.* I. 139, 187-189, 350-351: *Hildreth's U. S.* III. 359-360, 426-427: *Curtis' Constitution*, I. 156-157, 172, 174, 178-179; *Lalor's Cyclopaedia*, II. 189-190: *Bancroft's Constitution*, I. 30-31, 159-160, 165; *Bancroft's U. S.* (*last rev.*) V. 557-559, VI. 25, 119-120; *Bolles' Financial History of the U. S.* I. 92-93, 100, 101, 109-110, 112-116, 273-275, 333-340, 344-346.

1781. Mar. 1. Financial condition of the United States.
1781-1784. Robert Morris Superintendent of Finance.
1781. Attempt to form a rational system.
1782. June 22. Washington's letter to the Governors: ° *Washington*, VII. 226.
1785. Jan. 25. Board of Treasury organized.
1782-1788. Attempt to liquidate old accounts.

### § 56. (1780-1788.) Finances.—Bank of North America.

*Bolles' Financial History*, I. 92-93, 99-100, 273-275, 344-346; *Bancroft's Constitution*, I. 31-37: *Bancroft's U. S.* (*last rev.*), V. 445, 556-557, VI. 26-32: *Hildreth's U. S.* III. 309-310: *Lalor's Cyclopaedia*, I. 199, 207-208.

1780. Hamilton's suggestion: *Lodge's Hamilton*, 26-30.
1780. Morris' bank.
1781. May 26. Bank chartered by Congress: *Journals of Congress*, VII. 109-111.
1782-1786. State charters. Prosperity of the bank.
1785-1787. Reorganization of the bank.

### § 57. (1778-1783.) Finances.—Half Pay.—Newburg Addresses.

*Curtis' Constitution*, I. 158-170, 190-194: *Lecky's England* (*Eng. ed.*) IV. 95-96, 148, 247-250: *Hildreth's U. S.* III. 245, 430-433, 436-437: *MacMaster's U. S.* I. 180-185: *Bryant and Gay's U. S.* IV. 83-89: *Bancroft's U. S.* (*last rev.*), VI. 59-63, 66-68, 70-76, 94,

97-98; *Bancroft's Constitution*, I. 76-78, 86-89, 92-101, 123-124, 128-129. BIBL. *Winsor's Hand-Book*, 274.

1778-1781. Half pay votes of Congress.

1782-1783. Dangerous condition of the army.
Suggestion of monarchy to Washington.

1783. Mar. The address issued. Washington prevents action.

1783. Mar. Half pay voted, then full pay for five years.
Popular objections and protests of Massachusetts and Connecticut.

1783. June. Mutiny of the Pennsylvania line.

### § 58. (1781-1788.) Finances.—Coinage.

*MacMaster's U. S.* I. 21-23, 189-200, 296-297, 400-403; *Bolles' Financial History*, I. 274, 298, 301-305, 341-345; *Bancroft's Constitution*, I. 159.

1781-1788. Existing circulating medium.

1785-1786. Proposed national coinage.

### § 59. (1781-1788.) Finances.—Expenditures.

*Curtis' Constitution*, I. 174-175; *MacMaster's U. S.* I. 139-140, 227; *Bancroft's Constitution*, I. 79; *Bolles' Financial History*, I. 314-317, 321, 347-348, 350.

1778-1783. Military expences.

1781-1788. Running expences of the government.

1781-1788. Interest on the debt.

### § 60. (1781-1788.) Finances.—Requisitions.

**I. Assessment:** *Hildreth's U. S.* III. 359-391, 451-453, 530-531, 543-545; *Curtis' Constitution*, I. 156-157, 240-242; *Bancroft's Constitution*, I. 103-104, 161; *Bancroft's U. S. (last rev.)* VI. 79, 120-121; *Bolles' Financial History*, I. 272, 307-308, 313-315, 322, 348, 353; *Eliot's Funding System*, 59-61: *Diagram.*

1781-1787. Calls upon the States.

**II. *Question of Ratio:** *Hildreth's U. S.* III. 434-435: *Gay's Madison*, 38-43; *Curtis' Constitution*, I. 210-213, 240-242; *Bolles' Financial History*, I. 308-309.

1783. April 1. Three-fifths ratio recommended.

**III. *Neglect by States:** *Bancroft's Constitution*, I. 42, 82, 256-257; *Bancroft's U. S. (last rev.)*, VI. 33, 187-188: *MacMaster's*

*U. S.* I. 362-366; *Bolles' Financial History*, I. 279, 294, 310-313; *Diagram*.

Partial and slow payments.

Wish to appropriate the payments to State uses.

Absolute refusals.

IV. *Proceeds of requisitions: *Curtis' Constitution*, I. 243-244; *MacMaster's U. S.* I. 356-357: *Bolles' Financial History*, I. 279-281, 310-312, 320, 322, 324-325, 357-359: *Diagram*.

### § 61. (1771-1778.) Financial.—Post Office.

*MacMaster's U. S.* I. 39-45, 480-481.

### § 62. (1781-1788.) Finances.—Public Lands.

*MacMaster's U. S.* I. 504, 508-519; *Bancroft's Constitution*, II. 110-111, 116-117: *Bancroft's U. S.* (*last rev.*), VI. 286, 290. *Cf.* § 53.

1776-1783. (1) Bounty lands, Continental and State.

1781-1788. (2) Reservations made by States.

1781-1788. (3) Reservations for previous settlers.

1787. July 27. (4) Contract of the Ohio Company: *Colonial Outline*, § 525.

1787. (5) Scheme of a Scioto Company.

1788. May 15. (6) Symmes contract.

1788. Sept. 4. (7) Deed of the "Triangle" to Pennsylvania.

1787-1788. Great emigration westward. *Hayues' U. S.* 306-308.

### § 63. (1787-1788.) Finances.—Debt and loans.

I. Foreign loans: *MacMaster's U. S.* I. 130, 227-230, 356-357; *Bancroft's Constitution*, I. 139-140, 159-161, 165-166, 185: *Bancroft's U. S.* (*last rev.*) VI. 31, 120, 124, 137; *Bolles' Financial History*, I. 241-258, 272, 276-277, 313, 317, 350-353.

1781-1783. French gifts and loans.

1783-1788. Overdrafts and defaults in interest.

1783-1788. The four Dutch loans.

1781-1788. Market value of U. S. loans.

II. Domestic loan: *Bolles' Financial History*, I. 272, 288-289, 291-292, 313-314, 318, 322-326, 343-347.

1781. Proposition to fund the domestic debt.

Loan office certificates stopped.

Accumulation of "indents" for interest.

**§ 64. (1781-1783.) Confederation.—Amendment proposed. —Five per cent scheme.**

*Curtis' Constitution*, I. 173-176; *Bancroft's U. S. (last rev.)*, V. 453-454, 560-561, VI. 13-14, 27-28, 33-35, 92; *Bancroft's Constitution*, I. 13-16, 33-35, 43-44, 121-122; *Hildreth's U. S.* III. 427-428, 460-461; *Lodge's Hamilton*, 39-40; *Frothingham's Rise of the Republic*, 579-580; *Story's Commentaries*, § 254.

1780. Suggestion by the Hartford Convention.
1781. Feb. 3. The plan submitted by Congress.
1781-1782. Twelve States accept it.
1782. Nov. Rhode Island rejects it.
1782-1783. Withdrawal of consent of Virginia and South Carolina.

**§ 65. (1783-1786.) Confederation.—Amendment proposed. —Revenue scheme.**

*MacMaster's U. S.* I. 141-147, 153-154; *Curtis' Constitution*, I. 176-189; *Story's Commentaries*, §§ 255-258; *Bancroft's U. S. (last rev.)*, VI. 63-96, 68-69, 80-82, 90-96; *Bancroft's Constitution*, I. 82-86, 90-91, 105, 110, 119-127; *Hildreth's U. S.* III. 435-436; *Gay's Madison*, 35-39, 48-49.

1782. July 20. New York resolutions on defects of the articles.
1783. Apr. 12. Congress recommends specific duties, permanent revenues, and apportionment according to the federal ratio.
1783-1784. Acceptance of specific duties only, by twelve States.
1786. May 4. New York still stands out.

## THE STATES (1781-1788).

**§ 66. (1781-1788.) The States —Internal Government.**

**I. Authority of the States:** *Von Holst's U. S.* I. 25-26.

**II. Paper money and stay and tender acts:** *MacMaster's U. S.* I. 281-294, 330-347; *Bancroft's Constitution*, I. 230-241; *Bancroft's U. S. (last rev.)* VI. 168-176.

**III. Discriminating acts:** *MacMaster's U. S.* I. 404-406; *Elliot's Debates*, V. 119-120; *Bancroft's Constitution*, I. 175.

Stay and tender laws.—Navigation acts.—Imposts.

§ 67. (1781-1788.) **The States.—Relations with Congress.**

I. *Neglect of Constitutional duties: *Curtis' Constitution*, I. 231-240; *Higginson's U. S.* 296-297; *MacMaster's U. S.* I. 131-132.
Attendance.—Garrisons.—Prize Courts.—Requisitions.

II. Violation of Constitutional prohibitions: *Elliot's Debates*, V. 119, 207-208.
Treaties.—War.—Compacts.

III. Conflicts with Congress.
1782-1783. Vermont and Pennsylvania cases.
Could Congress coerce States?

§ 68. (1781-1788.) **The States.—Assaults on their governments.**

I. Causes of discontent: *Curtis' Constitution*, I. 260-265; *Hildreth's U. S.* III. 465-468; *Bancroft's Constitution*, I. 228-229; *Bancroft's U. S.* (*last rev.*), VI. 167; *Schouler's U. S.* I. 21.

II. Riots and popular risings:
Difficulties in New York, New Jersey and Rhode Island.
Excise opposed in Pennsylvania.

III. Attempts to form new States: *MacMaster's U. S.* I. 159-164, 162-168, 262-266, 347-348, 383-385; *Hildreth's U. S.* III. 407-410, 468-470.
Proposed States in Vermont and Maine.
State of "Frankland"; proposed State of Kentucky.

IV. Insurrections: *Hildreth's U. S.* III. 472-473; *MacMaster's U. S.* I. 210-216, 345-355.
1782-1787. Wyoming troubles.
1781-1786. Troubles in Connecticut, New Hampshire and Vermont.

V. Coercive power of the States.

§ 69. (1781-1788.) **The States.—Shay's Rebellion.**

*Curtis' Constitution*, I. 266-275; *MacMaster's U. S.* I. 299-328; *Rives' Madison*, II. 164-170; *Hildreth's U. S.* III. 472-477; *Bryant and Gay's U. S.* IV. 97-98; *Hosmer's Sam. Adams*, 389-392; *Schouler's U. S.* I. 32-34; *Von Holst's U. S.* I. 44-46; *Higginson's U. S.* 302-304.
1783-1786. Causes of the outbreak.
1786. Courts broken up.
1786-1787. Armed conflict with the rebels.

1786. Action of other States.
1786-1787. Appeal to Congress for aid.
1787. Quiet restored in Massachusetts.

## FOREIGN RELATIONS AND FAILURE (1782-1787).

### § 70. (1782-1787.) Foreign.—Mississippi question.

*Curtis' Constitution*, I. 309-327; *MacMaster's U. S.* I. 371-381, 412-416, 519-524; *Hildreth's U. S.* III. 464-465; *Lecky's England (Eng. ed.)*, IV. 257-258; *Gay's Madison*, 32-34, 77-78; *Schuyler's American Diplomacy*, 265-271; *Draper*, I. 201-206.

1783. Navigation question in the treaty.
1784. Spain refuses to permit navigation.
1784-1785. Conflict of interest of sea-board and interior.
1786. Aug. 29. Seven States vote, authorizing a treaty without navigation.
1786. Oct. 6. Jay negotiates an article suspending navigation.
1785-1788. The West compels a postponement.
1786-1788. Intrigues for separation of the West.

### § 71. (1783-1788.) Foreign.—British treaty not carried out.

*Curtis' Constitution*, I. 214-215, 249-259; *MacMaster's U. S.* I. 108-130, 218-220, 236-238; *Hildreth's U. S.* III. 305, 335, 324, 373, 439-440, 444, 465; *Bancroft's Constitution*, I. 68-69, 134-136; *Bancroft's U. S. last rev.)*, VI. 52, 101-102; *Lecky's England (Eng. ed.)*, IV. 266-268; *Lalor's Cyclopaedia*, II. 966.

1. British debts; amounts due.
1783-1787. Collection obstructed by the States.
2. The loyalists.
1783. Exodus from America.
1783-1787. Treatment of the remainder by the States.
1783-1791. British idemnity.
3. Western posts.
1783-1795. Surrender refused by the British.
4. Negro refugees.
1783. Slaves carried away and idemnity delayed.

### § 72. (1781-1783.) *Foreign.—Commerce question.

*Curtis' Constitution*, I. 279-290; *Frothingham's Rise of the Re-*

*public*, 583-587; *Bryant and Gay's U. S.* IV. 92-96; *Hildreth's U. S.* III. 454-456; *Story's Commentaries* §§ 259-261.

1781-1788. Condition of American foreign commerce.
1783-1788. Question of importations.
1781-1788. Question of Algerine pirates: *Schuyler's American Diplomacy*, 193-208.
1780. "Armed neutrality": *Schuyler*, 367-374.
1782-1787. Commercial treaties negotiated with Holland, Sweden. Prussia and Morocco: *Schuyler's American Diplomacy*, 368, 374-376.
1783-1784. English restrictions on American vessels.
1780-1786. Unsuccessful negotiations in England. Reasons for the attitude of England.
1783-1788. Retaliatory action of the States.
1785-1788. Jefferson's mission.

### § 73. (1784-1786.) Commerce amendment proposed.

*Hildreth's U. S.* III. 450-451, 460; *Curtis' Constitution*, I. 276-278, 285-286; *MacMaster's U. S.* I. 207-208, 246-248, 360-361; *Bancroft's Constitution*, I. 33, 147-149, 184, 188-197, 227; *Bancroft's U. S.* (*last rev.*), VI. 27, 111-112, 136, 139, 145.

1784. April 30. Amendment submitted.
1784-1787. Imperfect and conflicting action of the States.
1785. Monroe's proposition for single powers.

### § 74. (1786-1788.) Confederation.—Failure and impending anarchy.

*Von Holst's U. S.* I. 25-26; *Washington's Works*, VIII. 95; 441, IX. 12; *Lalor's Cyclopaedia*, III. 475-476; *MacMaster's U. S.* I. 32-33, 145-147, 154-155, 356-360, 366-371; 391-393; *Story's Commentaries*, §§ 269-271; *Curtis' Constitution*, I. 181-189, 224-230, 243-248, 330-331; *Schouler's U. S.* I. 19-34. △ *Draper*, I. 266-277; *Woolsey's Pol. Science*, II. 245-248.

Lack of authority: *Colonial Outline*, § 548.
Lack of coercive power: *Colonial Outline*, § 549.
Lack of observance by Congress: *Colonial Outline*, § 550.
Lack of fixed policy: *Colonial Outline*, § 551.
Collapse of the national finances.
Imminent danger of sectional unions.
Danger of the separation of the West.
Foreign predictions of failure.

Popular fears of a break-up.
Universal discontent.
Spirit of monarchy revived: *Gay's Madison*, 77-79.
Washington predicts "anarchy."
The states: slavery.

## THE FEDERAL CONVENTION (1787).

*Johnson's American Orations*, I. 9-17; *Davis' Confederate Government*, I. 99-103; *Von Holst's Constitutional Law*, § 4, *pp.* 15-24.

### § 75. (1781-1787.) Articles of Confederation. — Proposed amendment. BIBL. *Preston* 253.

*Curtis' Constitution*, I. 202-210, 222-224; *Schouler's U. S.* I. 27-28; *Lodge's Hamilton*, 36-37, 44-46; *Bancroft's Constitution*, I. 13-14, 16-17, 25-29, 86, 93, 130-133, 162-163, 175, 242-249, 259, 361-362; *Bancroft's U. S.* (*last rev.*), V. 455-457, VI. 12-23, 66, 70, 98-100, 121, 130, 177-182, 189; *Tyler's Henry*, 266-278.

Necessity of amendment: *Colonial Outline*, § 544.

1. By grant of specific powers: *Outline* 1883-84, *Lect.* XI.

1781-1783. (*a*) Five per cent scheme: § 67.
1783-1786. (*b*) Revenue scheme: § 68.
1784-1787. (*c*) Commerce scheme: § 76.
1785-1786. Minor schemes: *Colonial Outline*, § 545.

2. By grant of coercive powers: *Colonial Outline*, § 546; *Outline* 1883-1884, *Lect.* XI.

3. By change of the form of government: *Colonial Outline*, § 547; *Outline* 1883-84, *Lect.* XI.

*a*. To a monarchy.
*b*. To a centralized government.
*c*. To a closer federal union.

### § 76. (1780-1787.) Federal Convention.—Call.

*Story's Commentaries*, §§ 272-274: *Curtis' Constitution*, I. 334-338, 342-362, 367-369; *MacMaster's U. S.* I. 256-259, 268-280, 389-399: *Schouler's U. S.* I. 24-31; *Hildreth's U. S.* III. 477-418, *Frothingham's Rise of the Republic*, 586-589; *Gay's Madison*, 53-63; *Lodge's Hamilton*, 53-57. *Davis' Confederate Government*, I. 86-91; *Stephens*, I. 90-96.

1780-1784. Suggestions of a general convention.
1782-1785. New York and Massachusetts resolutions.
1784-1785. Virginia and Maryland commercial commission.

1786-1787. Final failure of the revenue scheme.
1786. Annapolis Convention.
1786-1787. Delegates to the Convention chosen.
1787. Feb. 21. Congress issues a formal call: *Journal of Congress*, XII. 12-14.

### § 77. (1787.) Federal Convention.—Difficulties.

*MacMaster's U. S.* I. 393-394, 400, 423-427; *Curtis' Constitution*, I. 332-333, 337-339, 355-358, 362-369, 371-375, 380-393.

1. Theory of a Constitutional convention: *Lalor's Cyclopaedia*, I. 627-637.
2. Popular jealousy of a convention.
3. Impossibility of amendment by Congress.
4. *Limitation of its authority: *Elliot's Debates*, I. 126-129, 131, 136, 137; *Republic of Republics*, *App. C. pp.* 516-523; *Stephens*, I. 96-115.
5. Lack of precedent and experience.
6. *Difference of individual views; leading men: *Frothingham's Rise of the Republic*, 584-586, 589; *MacMaster's U. S.* I. 418-423; *Schouler's U. S.* I. 37-38; *Von Holst's U. S.* I. 482-484.
7. Differences of interest.

### § 78. (1787.) Federal Convention.—Parties.

*Von Holst's U. S.* I. 51-57; *Lalor's Cyclopaedia*, I. 547; *Hildreth's U. S.* III. 485-486, 501; *Gay's Madison*, 89-97.

1. Federalists and anti-federalists.
2. Friends of centralization and of state sovereignty.
3. Large States and small States: *Diagram.*
4. Commercial States and agricultural States.
5. North and South: *Diagram.*

### § 79. (1787.) Federal Convention.—Progress.

*MacMaster's U. S.* I. 417, 438-452: *Hildreth's U. S.* III. 484-526; *Frothingham's Rise of the Republic*, 589-597: *Schouler's U. S.* I. 36-47. BIBL.: *Lalor's Cyclopaedia*, I. 637-640.

1787. May. Organization of the convention.
Sources of the Constitution.
Drafts presented to the Convention.
May 30-July 26. The general form of the government settled.
Aug.-Sept. The detail settled.
Sept. 17. Submission of the Constitution by the convention.

## FORM OF THE CONSTITUTION (1787).

### § 80. (1787.) Constitution.—Compromises.

**I. First Compromise**: representation of States.

*Lalor's Cyclopaedia*, I. 547-548; *Bancroft's Constitution*, II. 47-67, 68; *Bancroft's U. S.* (*last rev.*), VI. 239-254, 269; *Curtis' Constitution*, II. 116-144; *Hildreth's U. S.* III. 494-496; *Elliot's Debates*, V. 248-287, 311-319, 394-397, 414-420, 427-428, 529.

**II. Second Compromise**: representation of slaves.

*Curtis' Constitution*, II. 145-168; *Bancroft's Constitution*, II. 68-88, 128-132, 141-144; *Bancroft's U. S.* (*last rev.*), VI. 255-269, 299-301, 308-310; *Von Holst's U. S.* I. 289-291, 293-296, II. 80; *Elliot's Debates*, V. 294-310, 362, 391-364; *Hildreth's U. S.* III. 497-501; *Gay's Madison*, 98-104; *Wilson's Slave Power*, I. 39-45; *Stephens*, II. 94-106.

**I. Third Compromise**: slave trade and commerce.

*Lalor's Cyclopaedia*, I. 548-549, II. 973-975; *Bancroft's Constitution*, I. 128-132, 141, 151-160; *Bancroft's U. S.* (*last rev.*), VI. 308, 315-323; *Hildreth's U. S.* III. 508-520; *Gay's Madison*, 104-114; *Elliot's Debates*, I. 256, 374, 375, V. 454-461, 471, 477-478, 488-492; *Von Holst's U. S.* I. 291-292, 296-298; *Wilson's Slave Power*, I. 45-53.

What were the compromises?

Were they just?

Were they expedient?

Were they essential?

Were they open? *Goodell's Slavery and Anti-Slavery*, 222-224.

### § 81. (1787.) Constitution.—Scope.

*Frothingham's Rise of the Republic*, 597-610; *Schouler's U. S.* I. 42-46; *Johnson's* (*School*) *History of the U. S.* §§ 281-285; *Scudder's U. S.* 248-250; *Von Holst's U. S.* I. 64-79; *Outline for* 1883-84, *Lecture* XIII.; *Stephens*, I. 171-206; °*Preston's Docs.*, 253-275; *Woolsey's Pol. Science*, II. 249-257.

1. Form.

Legislative department improved.

Executive department created.

Judiciary department, modelled on that of the States.

2. Powers.

Deficiencies of the Articles of Confederation supplied.

Limitations decreased.
Limitations on the States increased: *Davis' Confederate Government*, 1. 155-168.

Principle of application to unforseen cases.

3. Means of carrying out powers granted.
Principle of judicial action on individuals.
Offensive powers of the States decreased.
Defensive powers of the general government increased.
Principle of constructive powers.

### § 82. (1787.) Constitution.—Deficiencies.

Not all-comprehensive.
No Bill of Rights inserted.
Annexation of territory not foreseen.
Growth of patronage not provided for.
Secondary election of the President expected.
No provision for the protection of national elections.
No formal provision against secession.

### § 83. (1787.) Constitution.—Unsettled Questions.

*Outline* 1883-84; *Lect.*: 1885-86, p.

1. National status of slavery.
Three-fifths clause.
Slave trade clause.
Fugitive slave clause.
Citizenship clause.
Use of the word "persons."
2. Status of the territories.
3. Extent of regulation of commerce.
4. Extent of war powers.
5. Question of constructive powers.
6. Question of removals and tenure of office.
7. Question of the relations of the departments of government.
8. Powers of the national judiciary.
9. Extent of the powers of the States.
10. Question of allegiance and sovereignty.

## RATIFICATION OF THE CONSTITUTION (1787-1790).

### § 84. (1787-1790.) Ratification.—Elements.

*Von Holst's U. S.* 1. 52-75; *Story's Commentaries*, §§ 281-293;

*Von Holst's Constitutional Law*, 23-28: *Lalor's Cyclopaedia*, I. 99, 606-607, 607, II. 165: *MacMaster's U. S.* I. 454, 481-484: *Schouler's U. S.* I. 54-57, 63-65: *Frothingham's Rise of the Republic*, 579-603: *Republic of Republics*, 433-496, *passim*; *Lodge's Hamilton*, 65-70, and *Gay's Madison*, 115-117 and *Morse's Jefferson*, 92-95, *and Hosmer's Sam. Adams*, 392-401; *Davis' Rise and Fall of the Confederate Government*, I. 103-114; *Curtis' Constitution*, II. 493-517: △ *Draper, Am. Civil War; Patrick Henry in Johnston's American Orations*, I. 18-39; *Hamilton in Johnston's American Orations*, I. 30-43; *Tyler's Henry*, 279-301.

Objections to the fundamental plan.
Objections to the powers of the general government.
Objections to coercive powers.
Objections to deficiencies.
Organization of Federalists and Anti-Federalists.
Popular feeling.
The champions of the Constitution.
The Federalist.
The opponents of the Constitution.
The Constitution accepted unwillingly.
North Carolina and Rhode Island forced in.
Later "worship of the Constitution."

### § 85. (1787-1789.)—Ratification.—Progress.

[Students are advised to read a detailed account of the convention of some one State, preferably of that from which they come, in *Bancroft*, or *Curtis*, or *Republic of Republics*.]

*MacMaster's U. S.* I. 454-501; *Schouler's U. S.* I. 58-70; *Hildreth's U. S.* III. 533-539; *Curtis' Constitution*, II. 491-604; *Bancroft's Constitution*, II. 225-350; *Bancroft's U. S.* (*last rev.*), VI. 371-462; *Elliot's Debates, vols.* I-IV.: *Republic of Republics. pp.* XV-XVI. 74-125; *Davis' Confederate Government*, I. 103-113; *Stephens*, I. 296-297.

1787. Sept. 17. Reported by the convention: *Elliot's Deb.* I. 297-305.
Sept. 28. Transmitted by Congress: *Elliot's Deb.* I. 319.
Dec. 9. (1) Delaware.
Dec. 12. (2) Pennsylvania.
Dec. 18. (3) New Jersey.
1788. Jan. 2. (4) Georgia.
Jan. 9. (5) Connecticut.

Feb. 7. (6) Massachusetts.
Apr. 26. (7) Maryland.
May 23. (8) South Carolina.
June 21. (9) New Hampshire. The Constitution assured.
1788. June 26. (10) Virginia; *Tyler's Henry*, 279-301.
July 26. (11) New York.
Sept. 13. Congress votes to put the Constitution into operation.
1789. Nov. 21. (12) North Carolina.
1790. May 29. (13) Rhode Island.

**§ 86. (1787-1790.) Ratification.—Who ratified the Constitution.**

I. *Form of ratification: °*Elliot's Debates*, I. 319-335; △*Republic of Republics*, 523-527; *Crane and Moses*, 142-154.
1. By what persons?
2. In whose name?
3. In what terms?
4. Conditions attached.

II. *Theory of ratification by "States": *Hayne in Elliot*, IV. 510; *Republic of Republics*, 130 *n*, 137-156; *Diagram*.

III. *Theory of ratification by "the people": *Lalor's Cyclopaedia*, III. 1003, 789; *Frothingham's Rise of the Republic*, 599-602; *Davis' Rise and Fall of the Confederate Government*, I. 121-134; *Diagram*.
1. "The people in independent communities": Calhoun in *Calhoun's Works*, VI. 151-152.
2. "The people in each of the States": Madison in *N. A. Review*, XXXI. 538; *Federalist*, *No.* 38, *p.* 262.
3. "The people of the United States": Webster in *Elliot*, IV. 499-509; *Story's Commentaries*, §§ 262, 463.

## NATURE OF THE CONSTITUTION (1787-1885).

*Davis' Confederate Government*, I. 157-158.

**§ 87. (1787-1885.) The Constitution.—Principles of Constitutional discussion.**

**I. Departments of controversy**: distinguish clearly into which of the following categories any specific question falls.
1. **Origin of the Constitution**, including the question of its form.

2. **Scope of the Constitution**: usually, but not always, a discussion of the extent of legislative powers.
3. **Interpreter of the Constitution**: always involving the judiciary powers and the jurisdiction of the United States Courts.
4. **Execution of the Constitution**: particularly relating to the executive powers, but including others.

**II. Aspect of controversy.** Observe the two aspects selected by the two great schools of Constitutional exposition,—the loose constructionists and strict constructionists.

1. Origin.
   *a*. Did "**the people**" form the Constitution?
   *b*. Is it a "**Compact**"?
   Discussed particularly in 1791, and 1830.
2. Scope.
   *a*. Are there "**Constructive powers**"?
   *b*. Are powers limited to "**express grants**"?

Discussed particularly in 1791, 1799, 1803, 1819, 1833, 1842.

3. Interpreter.
   *a*. Is the Supreme Court the "**Common arbiter**"?
   *b*. Can States "**interpose**" to make acts void?
   Discussed particularly in 1799, 1815.
4. Execution.
   *a*. Can the United States "**coerce**" States to permit the execution of its acts?
   *b*. Can States by "**secession**" make themselves independent?
   Question raised in 1861. It involves the question of allegiance.

**III. Sources of argument.**

1. **Nature of government** in general.
2. **Words of the Constitution.**
3. **Opinions.**
   *a*. Testimony of "the fathers."
   *b*. Views of statesmen and jurists.
4. **Decisions of the Supreme Court.**
5. **Usage**, as shown in the history of the United States.

**IV. Difficulties** to be kept in mind and avoided.

1. **Confusion of arguments** among the different departments of controversy.
2. Possibility of bringing strong **proofs of contrary aspects.**
3. Change of **party views** and party arguments.

**The Constitution.**—Who are "the People of the U. S."? *Von Holst's Constitutional Law*, 37-39, §§ 7, 9, 14.

**§ 88. (1787-1861.) The Constitution.—Is it a voluntary association?**

*Story's Commentaries*, §§ 349, 321, 352-353: *Stephens*, I. 116-170.
Theory of a contract.
Theory of a treaty or convention.
Theory of a league.

**§ 89. (1787-1861.) The Constitution.—Is it a "Compact"?**

*Story's Commentaries*, §§ 321-330, 352-372: Webster in *Benton's Abr.* XII. 103, *and* Tucker in *Story's Commentaries*, §§ 310-319; *Republic of Republics*, 59-69, 561-571; *Elliot's Debates*, IV. 509, 523, 540, 545, 548; *Stephens' War between the States*, I. 477-485: *Davis' Rise and Fall of the Confederate Government*, I. 134-141; *Pollard's Lost Cause*, 38-41.

Doctrine of the "Social Compact."

*a*. To which the people are parties?

*b*. To which the United States is a party?

*c*. To which the States are the only parties?

**§ 90. (1787-1861.) The Constitution.—Is it an instrument of government for a nation?**

*Von Holst's Constitutional Law*, 43-44, §§ 10, 14-19, *pp.* 43-44, 49-66; *Story's Commentaries*, §§ 339-340; *Kent's Commentaries*, I. 201; *Stephens' War between the States*, I. 17-21; *Draper*, I. 285-286: *Woolsey's Political Science*, II. 249-257; *Dana's Wheaton*, Note 32.

1. Question of National Existence: *Von Holst*, § 14.
2. Question of Sovereignty: *Von Holst*, § 15.
3. Questions of divisions of powers: *Von Holst*, §§ 16, 18.
4. Question of interpretation: *Von Holst*, § 17.
5. Conflicts of authority: *Von Holst*, § 19.
6. Question of coercion: *Von Holst*, §§ 11-13.

**§ 91. (1787-1885.) The Constitution.—Are the States Sovereign?**

**Lalor's Cyclopaedia*, III. 788-800: *Republic of Republics*, 325-334; *Tucker's Blackstone*, I. *App. Note D*: *Stephens' War between the States*, I. 116-147; 465-495; II. 21-24: *Davis' Rise and Fall of the Confederate Government*, I. 141-156: *Hurd's Theory of National Existence*, 116-141. BIBL. *Lalor's Cyclopaedia*, III. 800: *Wheaton's*

(*See back of this page.*)

*Intl. Law, Pt.* 1. *Chap.* II., § 6: *Lawrences' Wheaton, Note* 15; *Von Holst's Constitutional Law*, §§ 8-13, *pp.* 39-47; *Crane and Moses*, 228-352.

1. Argument from the nature of sovereignty.
2. Argument of authority: contemporaneous discussions.
3. Argument from the text of the Constitution.
   Theory of consent of the States to a limitation.
   Theory of the Supreme law.
   Theory of the Supreme Court as an arbiter.
4. Historical argument.

1775-1781. Were the States sovereign during the Revolution? § 42.

1781-1789. Were the States sovereign under the confederation? §§ 60, 67, 71.

1789-1885. Have the States ever proved themselves sovereign?
1886. Present status of the question.

## THE UNITED STATES IN 1789.

### § 92. (1789.) Geography of the United States. — Physical characteristics of North America.

*Ratzel's Vereinigte Staaten*, II. *ch.* 1; *Draper's Civil War*, I. 40-62: *Map.*

1. General shape.
2. Area.
3. Great basins and elevation.
4. Coast line.
5. Mountains.
6. Rivers and lakes.
7. Climate.
8. Natural resources.

### § 93. (1789-1885.) Geography of the U. S.—Influence of the physical characteristics on political history.

. Compactness.
2. Great extent.
3. The interior.
4. Sea fronts.
5. Mountain systems.
6. River system.
7. Climate.
8. Internal resources.

### § 94. (1789.) Geography of the United States.—Political.

*Donaldson's Public Domain*, 1-9: *Map.*

Connection of geography with the study of history.
1492-1789. Foundation of European claims to North America.
1492-1789. Claims of European powers to American territory.
1606-1775. Development of English possessions: § 25.
1783. Exterior boundaries by the Treaty of Peace: *Map.*
1789. Interior divisions: *Map.*
1789. Territorial waters.
1789-1885. Influence of arbitrary boundaries.
1789. Areas of the United States and of the sections.

### § 95. (1789.) Population of the United States.—Elements.

1. Numbers: *Diagram.*

2. Relative importance of sections and States: *Diagram.*
3. Race elements: slaves.
4. Distribution of the population: *Map.*
5. Immigration: *Draper*, I. 174.

### § 96. (1789.) People in 1789.—Social life.

*Schouler's U. S.* I. 221-224; *MacMaster's U. S.* II. 538-582; *Higginson's U. S.* 322-326; *Greeley*, I. 17-34.

Differences between the sections.
Classes of society.
Cities and country life.
Education.
Literature and information.
Organization of the great churches.
Social dangers.
Characteristics of the Americans.

### § 97. 1789. United States in 1789.—Economic condition.

*Prof. Dunbar's Lectures on Economic History; Winterbotham*, . 265-275, 293-295, 325-327. BIBL.: *Topics and References in Pol. Econ.* IV. *pp.* 7-8.

A. NATIONAL PURSUITS.

1. Agriculture: *Ratzel's Vereinigte Staaten*, II. *ch.* VII.
2. Commerce: *Ratzel's Vereinigte Staaten*, II. *ch.* XII.
3. Manufactures: *Ratzel's Vereinigte Staaten*, II. *ch.* X; *Taussig's Protection to Young Industries*, 14-17.

B. NATIONAL WEALTH.

1. National resources: *Ratzel's Vereinigte Staaten*, II. *ch.* VII-IX.
2. Undeveloped West.
3. Carrying trade.
4. Distribution of wealth.
5. Character of the people.

C. NATIONAL LABOR.

1. Free labor.
2. Slave labor.

D. NATIONAL DISADVANTAGES.

1. Want of circulating medium.
2. Want of roads: *MacMaster's U. S.* II. 553-565.
3. Want of experience.

D. ECONOMIC DANGERS.

### § 98. (1789). United States in 1789.—Political.

A. State of public affairs.

1. Financial distress.
2. Disturbance of public order.
3. Foreign relations and dangers.

B. State governments.

1. Effect of tradition.
2. Effect of colonial life.
3. Effect of republican ideas.
4. Character of administration: *Ratzel's Ver. Staaten*, II. *ch.* XIII.

C. The National government. *Higginson's U. S.* 304-306.

1. Want of loyalty to it.
2. Want of confidence in it.
3. National dangers.
4. Conception of a "nation" arising.
5. Elements of national greatness.

### § 99. (1789-1801.) The United States.—Public Men.

John Adams: Bibl. *Lalor's Cyclopaedia*, I. 23; *Foster's References*, 3, 6-7.

Aaron Burr: Bibl. *Lalor's Cyclopaedia*, I. 324.

Albert Gallatin: Bibl. *Lalor's Cyclopaedia*, II. 319; *Foster's References*, 10, 14.

Elbridge Gerry: Bibl. *Lalor's Cyclopaedia*, II. 367; *Foster's References*, 4.

Alexander Hamilton: Bibl. *Lalor's Cyclopaedia*, II. 434; *Foster's References*, 3-4; *Winsor's Hand-Book*, 19, 243, 285, 298.

John Jay: Bibl. *Lalor's Cyclopaedia*, II. 634.

Thomas Jefferson: Bibl. *Lalor's Cyclopaedia*, II. 638; *Foster's References*, 4, 9-10.

James Madison: Bibl. *Lalor's Cyclopaedia*, II. 799; *Foster's References*, 10, 13-14.

John Marshall: Bibl. *Lalor's Cyclopaedia*, II.812.

James Monroe: Bibl. *Lalor's Cyclopaedia*, II. 898; *Foster's References*, 16.

Timothy Pickering: Bibl. *Lalor's Cyclopaedia*, III. 198; *Foster's References*, 4.

C. C. Pinckney: *Lalor*, III. 198; *Foster*, 8.

George Washington: BIBL.: *Winsor's Hand-Book*, 296-297; *Lalor's Cyclopaedia*, III. 1092-1093; *Foster's References*, 3; *Lecky's England*, III. 432-435.

## ORGANIZATION OF THE GOVERNMENT OF THE UNITED STATES (1788-1793).

### § 100. (1788-1790.) Organization of the Government.—Elements.

*Hildreth's U. S.* IV. 25-32, 36-39, 249-251: *Von Holst's U. S.* I. 62-79.

The Constitution considered an experiment.
Disposition to leave organization to its friends.
Hope of substantial amendment.
Acceptance of the letter of the Constitution by all parties.
Organization of parties within the Constitution: §

### § 101. (1788.) Organization.—Expiration of the Confederation.

*Hildreth's U. S.* III. 543-547: *Story's Commentaries*, § 278; *Elliot's Debates*, I. 133; *Journals of Congress*, XIII, 170; *Stanwood's Presidential Elections*, 8: *Woolsey's Political Science*, II. 248-249.

1788. Sept. 13. Congress votes to put the government into operation.
Oct. 21. Congress expires for lack of a quorum.
The new government revolutionary.

### § 102. (1789.) Organization.—Elections.

*MacMaster's U. S.* I. 525-532: *Schouler's U. S.* I. 70-73, 82-85; *Stanwood's Presidential Elections*, 8-16; *Bancroft's Constitution*, II. 355-357: *Bancroft's U. S.* (*last rev.*), VI. 466-467; *Lodge's Hamilton*, 80-83; *Hildreth's U. S.* IV. 39-46: *Von Holst's Constitutional Law*, §§ 21-25: *O'Neil*. 32-40.

1789. Jan-Feb. 4. For presidential electors.
Jan-Feb. For senators and members of the House.
Feb. Washington chosen President and John Adams Vice-President.

### § 103. (1789.) Organization.—Congress.

*Von Holst's Constitutional Law*, § 24;28, 31-32: *Hildreth's U. S.*, IV. 46-53, 123-127, 151-152; *MacMaster's U. S.* I. 532-535, 542-544; *Schouler's U. S.* I. 80-86, 104-107, 162-165; *Lalor's Cyclopaedia*, I. 587, II. 474-476, 527-529, III. 702-704; *Snow's Guide*, 13-14. BIBL.: *Short's Reference Lists*, *p.* 38.

1789. Mar. 4. Day set for the government to go into effect.
Apr. 1. House of Representatives organized.

6. Senate organized.
Procedure and rules.
June 1. First statute of the United States: oath.
Aug. 15. Debate on instructions.
Sept. 24. Salary act.
1792. Apr. 14. First act of apportionment.
1789-1885. Character of Congress.

### § 104. (1789 1792.) Organization.—Executive.

*MacMaster's U. S.* I. 538-542, 563-566; *Schouler's U. S.* I. 74-80, 96, 108-116; *Hildreth's U. S.* IV. 52-64, 104-108, 130-132, 134-138; *Gay's Madison*, 108-132, 143-145; *Bancroft's Constitution*, II. 360-364; *Bancroft's U. S.* (*last rev.*), IV. 469-472; *Lalor's Cyclopaedia*, II. 132-135. BIBL. *Short's Reference Lists*, *pp.* 38-39; *Higginson's U. S.* III. 309-315, 320-322; *Von Holst's Constitutional Law*, § 25, 33-34.

Want of an executive under the confederation.
1789. Apr. 30. Inauguration of President Washington. Inaugural: °*Johnston's American Orations*, I. 44-51.
Question of a title.
Question of speeches to Congress.
June. Question of removals.
Appointments to office.
Executive ceremonials.
1792. Apr. 5. First veto (apportionment bill).
1789-1885. Status of the executive.

### § 105. (1789-1790.) Organization.—Executive departments.

*Hildreth's U. S.* IV. 101-108; *Schouler's U. S.* I. 93-96; *Snow's Guide*, 14-17; *J. C. Hamilton's Republic*, IV. 10-22. BIBL.: *Lalor's Cyclopaedia*, I. 27; *Von Holst's Constitutional Law*, §§ 26, *and note*.

Nature of administrative authority.
Practice of the Confederation: § 48.
Constitutional provisions for departments.
1789. May 19. Proposition for establishing departments.
July 27. Act for a "Department of Foreign affairs": *Lalor's Cyclopaedia*, I. 804-806, III. 787-789: *Schuyler's American Diplomacy*, 3-40.
Consular system: *Schuyler*, 41-104.
Diplomatic system: *Schuyler*, 105-192.
System of crowned heads: *Schuyler*, 421-424.

Aug. 7. Act for "a Department of War": *Lalor's Cyclopaedia*, III. 1087-1088.

Sept. 2. Act for a "Treasury Department": *Lalor's Cyclopaedia*,, II. 192-194, III. 933-935.

Sept. 15. Act changing the "Foreign Department" to the "Department of State."

Sept. 24. Clause in the judiciary act establishing an Attorney General: *Lalor's Cyclopaedia*, II. 663-664.

Sept. 11-26. Cabinet appointments.

1789-1790. Question of seats on the floor of Congress.

1794. May 8. Post Office department created: *Lalor's Cyclopaedia*, III. 310-311; *MacMaster's U. S.* II. 58-67.

1798. Apr. 30. Navy Department: *Lalor's Cyclopaedia*, II. 992-994.

1849. Mar. 3. Interior Department: *Lalor's Cyclopaedia*, II. 567-568.

1789-1885. Development and complexity of the departments.

### § 106. (1789-1790.) Organization.—The Judiciary.

*Hildreth's U. S.* IV. 108-112: *Snow's Guide*, 17-18; *Schouler's U. S.* I. 96-98; *Von Holst's Constitutional Law*, §§ 27, 43-45.

Necessity of a new judicial system.

Influence of English and Colonial precedent.

1789. Sept. 24. Judiciary act: organization of the courts.
Question of jurisdiction.
Question of enforcement by the courts.

Sept. 29. Act to regulate judicial process.

1790. Apr. 30. Act defining crimes.

1789-1803. Question of extra-judicial opinions.

1789-1801. Appointments to the bench.

1789-1885. Methods of applying judicial decisions: *Dana's Wheaton*, *Note* 31.

1789-1885. Character and influence of the United States courts.

## FINANCIAL SYSTEM ORGANIZED (1789-1801).

### § 107. (1789.) Financial System.—The situation.

*Lodge's Hamilton*, 84-96, 114-116, 131-135; *Schouler's U. S.* I. 130-132; *Hildreth's U. S.* IV. 152-158; *Von Holst's U. S.* I. 84-85.

State of the Treasury.
State of public credit.
Hamilton's scheme of establishing the finances.
Constitutional limitations on the power of taxation.

### § 108. (1789-1801.) Financial system.—Revenue.

*MacMaster's U. S.* I. 544-555, II. 25-28; *Schouler's U. S.* I. 86-93, 158, 187; *Lalor's Cyclopaedia*, III. 858, II. 127, 573-576, 975-976; *Hildreth's U. S.* IV. 65-101, 216-218, 253-256; *Snow's Guide*, 19-21; *Gay's Madison*, 132-143, *and Lodge's Hamilton*, 69-99, *and Von Holst's U. S.* I. 94-97: *Von Holst's Constitutional Law*, § 36.

1789-1801. (1) System of customs duties.
1789-1792. Three tariff acts.
1789. Question of taxing the slave-trade.
1789. Question of protection: *See* § 116.
1792-1801. Revenue acts.
1789-1790. (2) System of collection.
(3) System of tonnage duties: *See* § 113.
1789-1801. (4) System of excise.
1789-1801. (5) Proceeds of public lands: *See* §
1789-1801. (6) Proceeds of the post office.
1794-1801. (7) Proceeds of the patent office.
1794-1801. (8) Internal duties and licenses.
1798. (9) Direct tax.
1791-1801. (10) Dividends on bank stock: §

### § 109. (1789-1801.) Financial System.—Funding.

*MacMaster's U. S.* I. 567-578, 587-588, 592-593; *Schouler's U. S.* I. 130-136; *Lalor's Cyclopaedia*, I. 316, II. 190-191, III. 718-721; *Snow's Guide*, 21-23; *Gay's Madison*, 151-158, *and Lodge's Hamilton*, 117-120, *and Von Holst's U. S.* I. 83-85; *Hildreth's U. S.* IV. 158-171, 215-216, V. 444.

1789. Amount of debt outstanding.
1790. Jan. 14. Hamilton's report on public credit: °*Annals of Congress*, 1991; *Hamilton's Works*, III. 1-40; *Hamilton's Works, Lodge's ed.*, II. 47-108, 151-165.

Question of foreign debt.
Question of funding domestic debt at par.
Question of considering the original holders.

Question of method of funding.
1790-1793. Funding acts.
1790-1801. Process of funding.
1789-1801. State of the debt: *Diagram.*

### § 110. (1789-1791.) Financial system.—Assumption of State debts and Seat of Government.

*MacMaster's U. S.* I. 555-565, 579-586; *Lalor's Cyclopaedia*, I. 351-352; *Von Holst's U. S.* I. 80-89, *and Gay's Madison*, 146-150; *Morse's Jefferson*, 90-106, *and Lodge's Hamilton*, 120-129; *Schouler's U. S.* I. 136-142, 181-184; *Hildreth's U. S.* IV. 127-129, 171-174, 206-216, 218-219; *Snow's Guide*, 23-24; *Jefferson's Works*, III. 460, IV. 448-449; *Outline for* 1883-84, *Lect.* XIX. BIBL. *Short's Reference Lists*, *pp.* 61-62; *Higginson's U. S.* 319-320.

1790. Jan. 14. Recommended by Hamilton: *Annals of Congress*, 1999, 2021.
Mar.-Apr. Principle accepted and then rejected.
1783-1787. Question of the Capital.
1789. Aug.-Sept. Propositions on the Capital.
1790. July. Jefferson's compromise.
July 16, Aug. 4. Acts for Capital and assumption.
Nov. Protest of the Virginia legislature.
Amount assumed.
Settlement of accounts with the States.
Arrangements for the Capital.

### § 111. (1789-1801.) Financial system.—Expenditures.

*Hildreth's U. S.* IV. 126-127, 224, 273; *Lalor's Cyclopaedia*, I. 316-317; *Von Holst's Constitutional Law*, § 37.

1789. July 1. First appropriation act: diplomatic service.
1. For interest and reduction of debt.
2. For civil and administrative expenses.
3. Military and naval.
4. Miscellaneous.
1789-1885. System of appropriations.

### § 112. (1790-1801.) Financial system.—Bank.

*See* §§ 124-129.

## COMMERCIAL SYSTEM ORGANIZED (1789-1801).

### § 113. (1789-1801.) Commercial system.—External commerce.

*Lalor's Cyclopaedia*, II. 976-981; *MacMaster's U. S.* I. 535-537, 538-589; *Schouler's U. S.* I. 91-93, 127-128; *Hildreth's U. S.* IV. 101, 147-149, 221-222, 224; *Schuyler's American Diplomacy*, 421-426.

1651-1775. The Colonial system: § 30.
1775-1789. Commerce of the States: *See* § 66.
1789. July 20. Discriminating tonnage duty.
Aug. 7. Light-house act.
Question of Rhode Island.
1789-1792. Registry acts.
Act for regulation of seamen.
1793-1801. Embargo acts.
1789-1885. System of acts on American shipping.

### § 114. (1789-1801.) Commercial system.—Internal commerce.

*Lalor's Cyclopaedia*, I. 508, III. 125-126; *Hildreth's U. S.* IV. 01, 220-221; *Schouler's U. S.* I. 129-130; *MacMaster's U. S.* I. 589-592, II. 72-74; *Von Holst's Constitutional Law*, §§ 38-42; *Von Holst's Constitutional Law*, § 42.

1789. May 31. Copyright act.
1790-1793. Patent acts.
1790. Dec. Hamilton's report on coinage: *Lodge's Hamilton*, 106-108, 130-131.
1792. Apr. 2. Coinage act: *Von Holst's Constitutional Law*, § 35, *p* 124 *n*.
1790. Mar. 1. Act for the first census.

### § 115. (1789-1801.) Commercial system. Revival of trade.

*MacMaster's U. S.* I. 587-588, 592-593, II. 22-25, 74-82; *Schouler's U. S.* I. 199-202; *Hildreth's U. S.* IV. 273-277.

Return of specie.
Increase of internal trade.
Increase of foreign trade.
Plans of internal improvement.
Spirit of speculation.

### § 116. (1789-1800.) Commercial system.—Question of protection.

*Lalor's Cyclopaedia*, I. 714-715, III. 856-858; *H. C. Adam's Tax-*

*ation in the U. S.* 14-34; *Hildreth's U. S.* IV. 65-76; *Schouler's U. S.* I. 87-90, 186-188; *MacMaster's U. S.* I. 545-549; *Snow's Guide*, 27-29; *Lodge's Hamilton*. 108-114; *Bancroft's Constitution*, I. 187-189, II. 358-359; *Bancroft's U. S. (last rev.)*, VI. 138-139, 468-469. BIBL. *Taussig's Topics*, 1-3; *Blaine's Twenty Years*, I. 178-188; *Von Holst's Constitutional Law*, § 36.

1689-1775. (1) Protection in the Colonies: § 30.
1775-1788. (2) Protection in the States.
1787-1788. (3) The question not agitated in the Convention.
1789-1790. (4) The question in Congress.
1789. Apr.-June. Debates, chiefly economic.
July 4. First tariff act, slightly protective.
1790. Aug. 10. Second tariff act, increased protection.
1791. Dec. 8. (5) Hamilton's report: °*Annals of Congress*, 971-1034: *Hamilton*, III. 192-284: *Hamilton's Works, Lodge's ed.* III. 294-340; *American State Papers, Finance*, I. 123-144.

*a.* Economic arguments.
*b.* Constitutional arguments.
*c.* Special recommendations: articles to be protected.

1789-1792. (6) The Constitutional question raised.
1792-1801. (7) Tariff acts.
Sections and the tariff: *Blaine*, I. 178-181.
1789-1861. Tariff discussion: *Blaine*, I. 199-207.
Economic argument: *Blaine*, I. 207-214.

## ADMINISTRATIVE ORGANIZATION (1789-1801).

### § 117. (1789-1801. Administrative system.—Citizenship.

*Lalor's Cyclopaedia*, I. 58-62, II. 947-953, 959-963; *Von Holst's Constitutional Law*, § 83; *Crane and Moses*, 30-31.

**I. Who may be citizens of the United States?**
Status of citizens of States.
1789. April-May. Smith election case.
1793. Dec. Gallatin case. *Stevens' Gallatin*, 62-68.
Status of free negroes.
Status of Indians.
Status of children of citizens.
Status of aliens.

**II. How may citizenship be acquired?**
By creation of the States, under limitations.

By naturalization: *Von Holst's Constitutional Law*, § 39.
1760. Mar. 26. First naturalization act.
1795. Jan. 29. Second naturalization act.
1798. June 18. Third naturalization act.

**III. How may citizenship be lost?**
Doctrine of expatriation.

**IV. Duties of the citizen.**
Principles of allegiance.

**V. Rights of the citizen.**
Political rights; question of suffrage: *Lalor's Cyclopaedia*, III. 823-831.
Property rights.
Personal rights.

### § 118. (1789-1801.) Administrative system.—Constitutional amendments.

*Schouler's U. S.* 69-70, 102-104, 273-274, 515*n*; *Hildreth's U. S.* IV. 32-36, 112-120, 407-408; *Lalor's Cyclopaedia*, I. 387, 607-608; *Story's Commentaries*, § 1677; *Bancroft's Constitution*, II. 353-355: *Bancroft's U. S.* (*last rev.*), VI. 464-466; *Outline*, 1885-86, *Lect.* XII; *Tucker's U. S.* I. 405-407; *Von Holst's Constitutional Law*, § 4, *pp.* 28-32: § 88.
1787-1788. Amendments submitted by State Conventions: § 86; *Tyler's Henry*, 302-317.
1788. Sept. Harrisburg Convention.
1789-1885. Principles of the power of amendment.
1787. June-Sept. Debates in Congress.
1791. Dec. 15. First ten amendments declared in force.
Did these amendments add anything to the Constitution?
1793. Feb. Case of Chisholms *vs.* Georgia.
1794. Mar. 5. Eleventh amendment proposed.
1798. Eleventh amendment adopted.

### § 119. (1789-1801.) Administrative system.—Military.

**I. The army:** *Hildreth's U. S.* IV. 224, 304-306: *MacMaster's U. S.* II. 67-72; *Comte de Paris*, II. 11-15, 16-29.
1789-1885. Principles of military regulation.
1789. Sept. 29. Previous establishment continued.
1790. Apr. 30. First act for a military establishment.
1792. The army increased.
1763. Feb. 28. First pension act.

1795. Increase in the army.

**II. The Militia.**

1789-1790. Acts for the protection of the frontiers.
1790. Jan. 18. Knox's report.
1792, 1795. Acts for calling out.
1792. May 8. Act for uniform organization.

**III. The Navy**: *Lalor's Cyclopaedia*, II. 988-989; *Hildreth's U. S.* IV. 480, V. 206.

1794. Feb. 1. First navy act.
1794-1801. Construction of ships.

§ **120.** (**1789-1801.**) **Administrative system.—The Indians.**

*MacMaster's U. S.* I. 593-604, II. 43-46; *Schouler's U. S.* I. 151-157, 191-199, 215-216, 280-283; *Hildreth's U. S.* IV. 138-147, 222, 244-249, 284-287, 377-381, 443-446, 520-522; *Higginson's U. S.* 326-328; *Von Holst's Constitutional Law*, § 38, *note.*

1750-1775. Relations under the Colonies: § 29.
1776-1781. Relations under the Continental Congress.
1781-1788. Relations under the Confederation.
1789-1801. Principles of national control.
1789. Aug. Debate on treaties with Indians.
1790-1796. Acts to regulate trade and intercourse.
1790-1794. Indian wars.
Effect of the Indian hostilities on the Federal policy.

## TERRITORIAL ORGANIZATION (1789-1801).

§ **121.** (**1789-1801.**) **Territorial system.—Territories.**

*Donaldson's Public Domain*, 159-163; *Schouler's U. S.* I. 97-101, 149-150; *Hildreth's U. S.* IV. 205-206; *Toombs in Stephens*, I. 629-635; *Von Holst's Constitutional Law*, § 53.

1781-1788. System of the Confederation: §§ 52-54.
1789. The public domain: *Map.*
1789-1801. Principles of national control.
*a*. "Territory" clause.
*b*. "Other property" clause.
*c*. "Indians" clause.
*d*. "New States" clause.
1789. Aug. 7. Act confirming the Northwest Ordinance.
1790. May 26. Act regulating the "Territory South of the Ohio."

1798. Territory of the Mississippi created.
1800. May 7. Northwest Territory divided.
1789-1801. Territorial officers and local government.
1800. D. C. *Von Holst's*, § 57.

**§ 22. (1789-1801.) Territorial system.—Public lands.**

*Gallatin's Works*, III. 209-229; *Donaldson's Public Domain*, 84, 164, 178, 196-198; *Steven's Gallatin*, 245-248; *Schouler's U. S.* I. 198-199; *Von Holst's Constitutional Law*, § 53, *note*.

**I. Elements.**

1781-1788. System of the Confederation: § 53, 62.
1789. Area of public lands: *Map; Diagram.*
1789-1885. Principles of national control.
1789. Expectations of large sales.
1789-1801. Question of extinguishing Indian titles.
1789-1801. Question of encouraging immigration.

**II. Negotiations with Indians.**

1789. Aug. 7. First Indian treaty under the Constitution.
1793-1800. Indian boundary line moved westward.

**III. Confirmation of previous grants.**

1789-1792. Acts on Virginia bounty lands, Vincennes tract, the Pennsylvania Triangle, the Symmes Company and the Ohio Company.
1795-1802. Yazoo land question.

**IV. Sales for revenue.**

1. By special act of Congress.

1789. Aug. 7. Northwest ordinance confirmed.
1789. May-July. Scott's land office bill fails; *Annals of Congress*, 411-416, 453, 622-630, 665, 673.
1790. Jan. 20. Proposition for sales by private contract: *Annals of Congress*, 1068-1072.
July 20. Hamilton's report on a land office. Principles of the discussion.
1789-1796. Amount of sales up to 1796.

2. By sales at auction.

1796. May 18. First land bill.
1796-1801. Amount of sales.

3. By land-offices.

1800. May 10. Second land bill.

**§ 123. (1789-1801.) Territorial system.—New States.**

*Donaldson's Public Domain*, 416-417, 420-322; *Lalor's Cyclopaedia*, III. 1061, II. 671, III. 891; *McMaster's, U. S.* II. 32-35, 53-58; *Hildreth's U. S.* III. 529-530; 543; IV. 147-149; 209, 267-272, 303, 326; *Schouler's U. S.* I. 188-189; *Von Holst's Civil Law*, § 54.

1781-1787. Policy of the Confederation, § 54.
1787-1885. Powers and duties of Congress.
1789-1790. Special enactments relating to North Carolina and Rhode Island.
1789. Mar. 21. North Carolina ratifies (12th State).
1790. May 29. Rhode Island ratifies (13th State).
1791. Mar. 4. Vermont admitted (14th State) by act of Feb. 18, 1791.
1792. June 1. Kentucky admitted (15th State) by act of Feb. 4, 1791.
1796. June 1. Tennessee admitted (16th State) by act of June 1, 1796.
1789-1801. Principles of a balance between free and slave States.
1779-1885. Are new States different from the original thirteen?

## ORGANIZATION OF THE NATIONAL BANK.

**§ 124. 1690-1790. The National Bank.—Elements.**

1690-1750. Colonial paper issues and "loan offices."
1690-1789. The Bank of England.
1781-1789. The Bank of North America: § 56.
1776-1789. State banks.
1787-1789. Question of giving power of chartering to Congress.
1789-1790. Connection with Hamilton's financial schemes.

**§ 125. (1789-1790.) The National Bank.—Purpose.**

1. Currency.
2. Discounts.
3. Exchange.
4. Aid to the government.
5. Aid to the federal system.

**§ 126. (1790.) National Bank. Hamilton's Report.**

°*Annals of Congress* (1789-1791), 2031-2059; *Hamilton's Works* III. 106-146; *Hamilton's Works, Lodge's ed.*

1790. Dec. 14. Report submitted.
1. Causes of existing financial distress.
2. Advantages of a bank.

3. Objections to a bank.
4. Existing banks.
5. Principles of establishment.
6. Draft of a character.

**§ 127. (1790.) National Bank.—Question of expediency.**

*Hildreth's U. S.* IV. 256-264; *McMaster's U. S.* II. 28-32; *Lodge's Hamilton*, 99-106; *Snow's Guide*, 24-27; *Tucker's U. S.* I. 450-458; *Von Holst's U. S.* I. 104-106; *Schouler's U. S.* I. 158-162, 180.

1791. Feb. 1. Alarm raised in the House.

1. Is a bank a good thing?
2. Is this bill judicious?
3. Are the details of this bill constitutional?
4. Is the principle of chartering a bank constitutional?

1791. Feb. 21. The act approved.

1. Stockholders.
2. Management.
3. Connection with the government.
4. Monopoly.

**§ 128. (1790.) National Bank.—Question of Constitutionality.**

*Lalor's Cyclopaedia*, I. 199-201, 612-613; *Marshall's Works*, 160-178; *Hamilton's Works*, IV. 105-121, and *Jefferson's Works*, VII. 555-561; *Story's Commentaries*, §§ 123-166; *McMaster's U. S.* II. 35-37; *Von Holst's Civil Law*, §§ 35, 36 (pp. 121,126n).

A. Letter of the Constitution: *Jefferson*, VII. 555-561.

1. Power to "borrow money."
2. Power to "lay taxes."
3. Power over "property."
4. Power to raise "fleets and armies."
5. Power to act for "the general welfare."

B. Spirit of the Constitution. *Von Holst*, §§ 16-18.

1. *Power to do what is "necessary and proper": *Hamilton*, IV. 109-111.
2. *Doctrine of implied powers: *Hamilton*, IV. 105-106, 119-121. **Strict and loose construction**: *Cox's Three Decades*, 35-36; *Wise's Seven Decades*, 13-18.
3. *Doctrine of resulting powers; *Hamilton*, IV. 107.
4. *Doctrine of the sovereignty of Congress: *Knox's U. S. Notes App. pp.* 206-207, 209, 226.

§ **129.** (**1791-1811.**) **National Bank. History.**

*Sumner's Jackson*, 227-229; *McMaster's U. S.* II. 37-41; *Schouler's U. S.* I. 179-181; *Hildreth's U. S.* IV. 264-267, 279.

1791. Organization.
1791-1811. Prosperous career.
1811. Expiration of the charter.
1819. Held by the Supreme Court to be constitutional.
1791-1811. Was it beneficial to the country?
1791-1811. Was it necessary to the government?

## SLAVERY AS A LOCAL INSTITUTION (1619-1804).

§ **130** (**To 1619.**) **Slavery.—General Principles.**

*Hurd's Law of Freedom and Bondage*, I. 1149-1154, 157-166.

How may slavery arise?
How may slavery be perpetuated?
Ancient system of slavery.
Effect of Christianity; mediæval slavery: *Draper*, I. 118-120.
Slavery of infidels and inferior races.
Slavery of criminals.
English freedom: *Draper*, I. 342-348.

§ **131.** (**1619-1775.**) **Slavery.—Colonial.**

*Draper*, I. 183-197; *Lalor's Cyclopaedia*, III. 725-727; *Von Holst's U. S.* I. 277-280, I. 111, 426-427; *Greeley's American Conflict*, I. 24-32; *Hildreth's U. S.* II. 391-392, 419-430, III. 563-567; *Bancroft's U. S.* III. 403-406, 426-427; *Wilson's Slave Power*, I. 2-7; *Cox's Three Decades*, 37-40; *Wilson* I. 1-7; *Olmsted's Slave States*, 221-227, 491-496.

1492-1619. In Spanish American colonies: *Draper*, I. 131, 134-136.
1619. Aug. Introduction of slaves into Virginia.
1619-1775. The slave trade: *Colonial Outline*, § 317; *Dunbar's Topics in Political Economy*, IV. *p.* 17.
1619-1775. Character of colonial slavery: *Colonial Outline*, § 316.
466-1772. English law and custom.
1772. The Somerset case.
1775. Legal status of slavery in the colonies.
Indian slavery: *Draper's Civil War*, I. 183-187.

**Slavery under the Confederation**: 1775-1788, *Cox's Three Decades*, 38, 41-43; *Greeley*, I. 37-40.

### § 132. (1775-1789.) Slavery.—Status in the States.

*Von Holst's U. S.* I. 273-288; *Hurd's Law of Freedom and Bondage*, I. 525-527; *Williams' Negro Race*, I. 370-385, 402-411; *Hildreth's U. S.* III. 509-520, IV. 174-177; *Schouler's U. S.* I. 142-145; *Draper*, I. 311-314, 324-326.

1776. Effect of the Declaration of Independence: *Wilson*, I. 13-17; *Stephens*, II. 87-88; *Draper*, I. 312-313; *Greeley*, I. 33-37.

1775-1781. The negro in the Revolution: *Wilson*, I. 18-20.

1775-1789. Slavery recognized in State constitutions.

1781-1789. The slave trade discouraged.

1781-1787. Question of the return of fugitives.

Unpopularity of slavery: *Draper*, I. 324-325.

### § 133. (1789.) Slavery.—Social effect.

*Von Holst's U. S.* I. 340-357; *Greeley's American Conflict*, I. 66-71; *Lalor's Cyclopaedia*, III. 727-732; *Pollard's Lost Cause*, 45-53.

**I. The system described:** *Gregg's U. S.* II. 1-5.

Plantation life and slaves.

House and body servants.

Free negroes.

Discipline.

Slave codes.

Excuses for slavery.

**II. Economic effect.**

1. Staple products: *Von Holst's U. S.* I. 351-353: *Draper*, I. 297-300. Cotton. The cotton gin. Rice. Sugar. Slaves.
2. Population: *Von Holst's U. S.* I. 353-356; *Greeley's American Conflict*, I. 70-71.
3. Productive capacity.

   On the white race: *Draper*, I. 206-207.

**III. Moral effect.**

1. On the slaves.
2. On the masters.
3. On free labor.

**IV. Political effect.**

1. Dangers from slave risings.
2. Dangers from free speech.
3. Sectional rivalry and prejudice.
4. Changes of apportionment: *Diagram.*
5. Changes of relative rank of States: *Diagram.*

### § 134. (1775-1804.) Slavery.—Emancipation.

*Lalor's Cyclopaedia*, I. 973-974: *Von Holst's U. S.* I. 273-301.

**Slavery. Opposition to.—Societies:** 1782-1793. *Wilson's Slave Power*, I. 22-30; *Goodell*, 95-97; *Greeley*, I. 107-108.

**Slavery.—Slave Trade limited:** 1788, Mass.: *Draper*, I. 320-321. *Draper*, I. 321-323; *Goodell, Slavery and Anti-Slavery*, 112-117; *Hildreth's U. S.* II. 563-564, IV. 638, V. 310-311; *Bancrofts's U. S.* (*last rev.*), V. 404-405, 411-421, VI. 179-180, 291; *Schouler's U. S.* I. 142-145; *McMaster's U. S*, II. 20-22; *Wilson's Slave Power*, I. 20-22; *Greeley's American Conflict*, I. 49-52, 108: *Goodell*, 107-117.

1774-1780. European spirit of opposition to slavery.

1740-1775. American spirit of opposition to slavery: *Goodell*, 91-95.

1777. (1) Vermont bill of rights: *Hurd's Law of Freedom and Bondage*, II. 37.

1780. (2) Massachusetts constitution: *Hurd's Law of Freedom and Bondage*, II. 28, 29 *n*, *Draper*, I. 313-319.

1780. (3) Pennsylvania emancipation act: *Hurd's Law of Freedom and Bondage*, II. 67.

1783. (4) New Hampshire constitution: *Hurd's Law of Freedom and Bondage*, II. 35.

1784. (5) Rhode Island act: *Hurd's Law of Freedom and Bondage*, II. 48.

1784. (6) Connecticut act: *Hurd's Law of Freedom and Bondage*, II. 42.

1799 (7) New York act *Hurd's Law of Freedom and Bondage*, II. 53, 55.

1804. (8) New Jersey act: *Hurd's Law of Freedom and Bondage* II. 63: *Williams*, II. 19-22.

1782-1785. Agitation in Virginia. *Hurd's Law of Freedom and Bondage*, II. 3.

1785-1794. Expectation of general emancipation.

## NATIONAL REGULATION OF SLAVERY (1787-1808).

### § 135. (1987-1808.) Slavery Legislation.—Constitutional Provisions.

*See* §§ 80, 83; *The Constitution, Art.* I. *Sec.* 2, § 3, *Sec.* 9. § 1; *Art.* IV. *Sec.* 2. §-3; *Greeley's American Conflict*, I. 41-49; *Goodell*, 81-90; *Draper*, I. 326-328: *Toombs in Stephens*, I. 628-629: *Stephens*, II. 24-26.

1. Direct taxes by federal ratio.
2. Right to prohibit the slave trade in 1808.
3. Limitations on an abridgment of citizenship: *Bancroft's Constitution*, II. 141-143; *Bancroft's U. S. (last rev.)*, VI. 308-309.
4. Duty of returning fugitives: *Bancroft's Constitution*, II. 143-144; *Bancroft's U. S. (last rev.)*, VI. 310; *Wilson's Slave Power*, I. 53-56.
5. Indirect influence of tariffs and navigation laws.
6. The territorial question not raised.

**136. (1790-1808.) Slavery Legislation. — Reception of Memorials.**

*Von Holst's U. S.* I. 89-94, 305-309; *McMaster's U. S.* I. 578-579, II. 21-22; *Gay's Madison*, 159-169; *Schouler's U. S.* I. 145-148; *Hildreth's U. S.* IV. 177-205; *Wilson*, I. 60-68; *Goodell, Slavery and Anti-Slavery*, 97-103, 224-225; *Wise's Seven Decades* 18-19.

1790. Feb. 11, 12. Memorials submitted: *Annals of Congress*, 1183, 1198.
Mar. 16. Report on the powers of Congress: *Annals of Congress*, 1523.
Mar. 53. Amended report entered on the journal: *Annals of Congress*, 1524.
1792-1794. Petitions of Quakers and others.
1797. Jan. 30. Petitions of kidnapped negroes: *Annals of Congress*, 2016.
1800. Jan. 2. Petitions of free negroes: *Annals of Congress*, 229, 240, 245, *Williams*, II. 1-3.
1806. Question of trade with Hayti.

**137. (1778-1808.) Slavery Legislation.—Fugitive slave law.**

*Von Holst's U. S.* I. 296-300, 309-315; *Lalor's Cyclopaedia*, II. 315; *Hildreth's U. S.* IV. 406-407; *Snow's Guide*, 57; *Wilson*, I. 69-78; *Goodell*, 227-233.

1778. Aug. 9. Clause in the treaty with the Delawares.
1785. Apr. 6. King's proposition for the Northwest Territory.
1787. Clause introduced into third compromise.
1790. Apr. 7. Clause in the Creek treaty.
1791. July 18, Oct. 27. Pennsylvania-Virginia case submitted to Congress.
1793. Feb. 12. Fugitive slave act; *Stat. at Large*, I. 302-305.

Extradition clause.

Fugitive slave clause.

1793-1801. Fugitive slave cases.

1802. Jan. Second bill proposed: *Annals of Congress*, 336, 423.

**138. (1789-1803.) Slavery legislation.—The slave trade.**

*Von Holst's U. S.* I. 315-328; *Lalor's Cyclopædia*, III. 732-733, 737; *Williams' Negro Race*, I. 1-9, 427-440; *Dunbar's Topics in Political Economy*, IV. *p.* 17; *Schuyler's American Diplomacy*, 233-238; *Wilson's Slave Power*, I. 74-97.

**Slavery—Status of Free Blacks:** *Goodell*, 235, 237, 238.

**Slavery—District of Columbia:** *Goodell*, 225-227, 233-234.

The "Middle Passage" *McMaster's U. S.* II. 15-17.

1789. Proposed tax: *Wilson*, I. 57-60.

1789-1808. Number of slaves imported.

1794-1800. Export prohibited.

1803. Feb. 28. Act in support of state enactments.

1804-1806. Petitions and debates: *Adams' Memoirs*, I. 339-378.

1807. Mar. 2. Slave trade prohibited.

Question of internal slave trade: *Jay*, 275-276.

Question of the punishment of traders.

Question of the disposition to be made of captured blacks.

1807. England abolishes the slave trade: *Goodell*, 52-63; *Blaine*, I. 172-173.

**139. (1789-1801.) Slavery.—Legislation.—The territories.**

*Von Holst's U. S.* I. 285-288, 309; *Greeley's American Conflict*, I. 52-53; *Toombs in Stephens*, I. 632-635.

1789. Status of slavery within the domain of the United States.

1790. Confirmation of the sectional division: § 134.

1790. Effect of the North Carolina cession.

1798. Slavery in the Mississippi territory.

1802. Effect of the Georgia cession.

1800. District of Columbia.

1802. Effect of the Georgia cession.

1789-1808. Attempt to introduce slavery into the Northwest: *Williams*, II. 3-8.

**140. (1789-1808.) Slavery.—Growth of the System.**

*Greeley's American Conflict*, I. 57-71; *Von Holst's U. S.* I. 333-339, 340-556; *Cairnes' Slave Power*, 106-107.

1789-1808. Slow disappearance of slavery in the North.

1789-1808. Status of free negroes.

1793. Invention of the cotton-gin.
1789-1808. The voice of the churches weaker: *Goodell*, 105-109.
1789-1808. Appearance of a sectional divergence: *Pollard's Lost Cause*, 45-49.
1689-1808. Joint and national responsibility for slavery.

## RISE OF POLITICAL PARTIES (1789-1793).

### § 141. Parties.—Necessity of party government.

*Lalor's Cyclopaedia*, III. 96-112; **Crane & Moses*, 265-286; *Macy*, 166-193.

What are parties?
The usual lines of party division.
Theory of the four stages of political experience.
Disadvantages of party government.
Advantages of party government.

### § 142. (1690-1755.) Parties.—Before the Constitution.

*Schouler's U. S.* I. 47-52; *Lalor's Cyclopaedia*, I. 99; *Hildreth's U. S.* III. 533-536.

1690-1750. Interior party divisions and contests.
1690-1750. No general division throughout the colonies.
1750-1775. Union of those opposed to taxation.
1775-1781. Division into Whigs and Tories.
1781-1787. Gradual union of the commercial classes.
1781-1787. No national political parties.
1787. Sectional and political discussions in the convention: § 78.
1787-1790. Federalists and Anti-Federalists: § 84.

### § 143. (1789-1793.) Parties.—Elements.

*Hildreth's U. S.* IV. 344-352: *Schouler's U. S.* I. 165-175; *Gay's Madison*, I. 172-176, 184-192: *Morse's Jefferson*, 106-110: *Johnston's American Politics*, 1-2: *Higginson's U. S.* 309-332.

1. Division into social classes: *See* § 96.

Aristocracy.
Charge of distrust of the people.
Charge of desiring a monarchy.
Democracy.

2. Division into economic classes: *See* § 97.

The commercial and creditor class.
The debtor class.

3. Division on foreign relations: *See* § 98: *Higginson's U. S.* 333-336.

Friends of England.
Friends of France.

4. Division into sections: *See* § 94; *Draper*, I. 241-252.

The North.
The Middle States.
The South.

5. Division on constitutional construction.

Nationalists.
State rights men.

6. *Theories of origin. (*Read all references under 6.*)

1. Old Whigs and Tories: *Ormsby's Whig Party*, 14.
2. Patriots and Loyalists: *Hamilton's Republic*, IV. 417.
3. Friends and foes of the Constitution: *Young*, 73.
4. Friends and foes of popular government: *Van Buren's Political Parties* 62-74; *Madison*, IV. 481-482.
5. Friends and foes of monarchy; *Jefferson*, VII. 390-391.
6. Strict-constructionists and loose-constructionists: *Von Holst's U. S.* I. 77-78.

### § 144. (1789-1793.) Parties.—Formation.

*Lalor's Cyclopaedia*, I. 99-100; *Schouler's U. S.* I. 53-55, 175-178; *Lodge's Hamilton*, 136-140. Bibl. *Snow's Guide*, 36; *Short's Reference Lists*, *pp.* 40-41.

1789. Old political organizations dissolved.
1786-1791. Acceptance of the constitution.
2790. Commercial question of public credit: *See* § 109.
1790. Sectional question of assumption and capital: *See* § 110.
1791. Constitutional question of the bank: *See* § 128.
1791-1793. Personal question; rivalry of Hamilton and Jefferson.
1793. Foreign question of the French alliance.
1793. Question of aristocracy; Democratic clubs.
1794. Social question of the strength of the government; Whiskey Rebellion.

### § 145. (1790-1793.) Parties.—The Republicans.

*Lalor's Cyclopaedia*, I. 99-100. I. 768-772: *McMaster's U. S.* II. 89-96. Bibl. *Lalor's Cyclopaedia*, I. 100. I. 778; *Stephen's Gallatin*, 100-111, 125-136.

Elements of which it was made up.
The name.
Party principles.

Party spirit and tendencies.
Party leaders.
Party organs.

§ **146.** (**1789-1793.**) **Parties.—The Federals.**

*Lalor's Cyclopaedia*, II. 165-168; *Morse's John Adams*, 241-256.
BIBL. *Lalor's Cyclopaedia*, II. 172.
Elements.
The name.
Party principles.
Party spirit and tendencies.
Party leaders.

§ **147.** (**1789-1793.**) **Parties.—Quarrels in the Cabinet.**

*Lodge's Hamilton*, 140-148; *Morse's Jefferson*, 132-145; *Schouler's U. S.* 201-212; *Hildreth's U. S.* IV. 297-300; 358-373; *Gay's Madison*, 193-197.
Personal character of Washington.
Effort to form a non-partisan cabinet.
1789-1892. Division of the cabinet into factions.
Assumption-capital compromise.
Question of patronage.
Question of the bank.
Mutual distrust.
1792-1793. Personal quarrel between Jefferson and Hamilton.
1790-1793. Effect on the administration.
1793. Dec. Jefferson's withdrawal.

§ **148.** (**1789-1793.**) **Parties.—Character of party leaders.**

*Von Holst's U. S.* I. 156-167; *Lodge's Hamilton*, 271-384, *and Morse's Jefferson*, 111-113, *and Gay's Madison*, 186-192.
1. Was Jefferson a demagogue?
Hamilton's opinion: °*Hamilton's Republic*, IV. 525-526.
2. Was Madison insincere?
3. *Was Hamilton a "monarchist"? *Von Holst's U. S.* I. 109-112; *Lodge's Hamilton*, 60-63, 148-157; *Morse's Jefferson*, 111-132; *Schouler's U. S.* I. 216-220; *Hildreth's U. S.* IV. 331-348, 384-385, 271-405; *Lalor's Cyclopaedia*, II. 435; *Higginson's U. S.* 315-320.
1792. May 23. Jefferson's opinion: *Jefferson's Works*, III. 459-464, VII. 390, IX. 91, 111, 145.
Aug. Washington's opinion: *Washingtons*, X. 281.

Election of 1792: *O'Neil*, 41-51.

4. Was there a "corrupt treasury squadron"? *McMaster's U. S.* II. 114-119; *Gay's Madison*, 197-203.

Jefferson's opinion: *Jefferson's Works*, IX. 121-123.

Funding system.

Bank.

Alleged bribery.

Complicated book-keeping.

1793. Mar. Giles' resolutions break down: *Lodge's Hamilton*, 216-220.

## FOREIGN AFFAIRS (1793-1796).

### § 149. (1789-1793.) Foreign Affairs.—Elements.

*Hildreth's U. S.* IV. 123-137; *McMaster's U. S.* II. 89-97; *Lodge's Hamilton*, 153-161; *Gay's Madison*, 193-203; *Von Holst's U. S.* I. 107-111; *Higginson's U. S.* 328-329, *cf.* § 72.

Foreign affairs:—Principles, *cf.* § 105.

Neutral rights: § 72; *Schuyler*, 376-379.

Neutral duties: *Schuyler*, 300-304.

1789. Treaty obligations of the United States.

France.—England.—Commercial treaties.

1783-1793. Relations with England.

1789-1793. The French Revolution, and its effects on the United States.

1789-1793. Foreign affiliations of parties in the United States.

1789. Relations with Spain.

1792. *Re-election of Washington: *Stanwood's Presidential Elections*, 17-23; *McMaster's U. S.* II. 85-88: *Schouler's U. S.* I. 212-214: *Hildreth's U. S.* IV. 409-410.

Act on counting the electoral vote.

Question of a second term: *Jefferson*, III. 360, IX. 121; *Washington*, X. 286.

Candidates for Vice-President.

Choice of electors.

Electoral vote: *Diagram: Map.*

### § 150. (1792-1793.) Foreign affairs.—Neutrality.

*Lodge's Hamilton*, 161-166: *Von Holst's U. S.* I. 106-112; *Snow's Guide*, 41-45; *Gay's Madison*, 203-208.

Principles of neutrality: *Lalor's Cyclopaedia*, II. 1003-1009.

Duties of neutrals.

Rights of neutrals.
1792. Apr. 14. Act for carrying out the consular convention.
1793. Apr. 5. News of the French declaration of war.
Arrival of Minister Genet at Charleston.
Difficulties in the way of neutrality.
Necessity of neutrality.
Questions relating to the treaty.
Was it binding now that France was a republic?
Was this a defensive war?
1793. Apr. 22. Proclamation of neutrality.
1794. June 5. Neutrality act.
1794-1885. Neutral policy of the Government.

### § 151. (1793.) Foreign.—Genet Affair.

*Schouler's U. S.* I. 246-250; *Lodge's Hamilton*, 166-175; *Morse's Jefferson*, 146-165; *Lalor's Cyclopaedia*, I. 768, II. 327-331; *Von Holst's U. S.* I. 113-118; *McMaster's U. S.* II. 97-114, 119-124, 134-141; *Gay's Madison*, 208-215; *Higginson's U. S.* 329-330.
Principles of consular powers: *Lalor's Cyclopaedia*, I. 613-615.
Genet's commissions to privateers.
Genet's enlistments.
Genet's schemes for attacking Spain.
May-June. Captures by Genet's privateers.
Henfield case.
July 12. Escape of the "Little Democrat."
Aug. Genet's appeal to the public.
Effect on the parties.
Democratic clubs.
Genet recalled.

### § 152. (1789-1793.) Foreign.—Complications with England.

*Lalor's Cyclopaedia*, II. 634-635, III. 945; *Schouler's U. S.* I. 265-273; *Snow's Guide*, 36-38; *Hildreth's U. S.* IV. 440-443; *Lodge's Hamilton*, 175-180; *McMaster's U. S.* II. 165-188; *Gay's Madison*, 216-220; *Von Holst's U. S.*, I. 120-122.

**I. Grievances.**
1. Non-surrender of the western posts.
2. Commercial discriminations.
3. Impressment.
4. Threat of Indian war.
5. Neutral trade prevented.

**II. Principles of neutral trade:** *Lalor's Cyclopaedia*, I. 290-293, 621-623; *Woolsey's International Law*, 193-207.

*a*. Contraband of war.

*b*. Blockade.

*c*. "Rule of 1756."

**III. (1794.) War threatened.**

1793. Dec. 16. Jefferson's report on Commerce.

1794. Jan.-Feb. Madison's retaliatory resolutions.

Mar.-Apr. First act for fortifications, an arsenal and a navy.

Mar. 26. First embargo.

Mar. 27. Sequestration resolution.

Apr. 7. Non-intercourse resolution.

Principles of embargoes; *Lalor's Cyclopaedia*, II. 79-81; *Short's Reference Lists*, *p*. 64.

Apr. 16-19. Jay appointed envoy to Great Britain.

**§ 153. (1794-1796.) Foreign affairs.—Jay treaty.**

*Lalor's Cyclopaedia*, II. 636-638, III. 945: *Schouler's U. S.* I. 289-299, 316: *Von Holst's U. S.* I. 122-128; *Lodge's Hamilton*, 175-180, 188-194; *McMaster's U. S.* II. 188, 212-235; *Gay's Madison*, 220-225, 227-228; *Stevens' Randolph*, 25-27; *Higginson's U. S.* 331; *Schuyler's American Diplomacy*, 426-427. BIBL. *Lalor's Cyclopaedia*, II. 638; *Short's Reference Lists*, *pp*. 64-65.

1. Selection of an envoy.

2. Questions to be settled: *See* § 152.

June 15–Nov. 19. (3) Negotiations with Grenville.

Nov. 19. (4) The treaty signed.

Question of compensation for negroes.

Question of posts and boundary.

Question of claims for illegal seizures.

Treaty of commerce.

Article XII, on the West India trade.

1795. June 24. (5) Expediency. Ratification by the Senate: *and in Curtis' American Orations*, I. 64-82.

June 29-1796. Violent popular opposition.

Aug. Disclosure of "Despatch No. 10."

19. Washington approves the treaty.

Nov. Protests of the States.

1796. Apr. 29. The House votes in favor of the treaty.

June. Western posts surrendered.

Attitude of France.

Could a better treaty have been obtained?

§ **153.** (**1795-1796.**) **Foreign affairs.—Constitutional questions raised by the Jay treaty.**

*Stevens' Gallatin*, 113-125; *Schouler's U. S.* I. 308-317; *Story's Commentaries*, § 1835; *McMaster's U. S.* II. 263-281; *Gay's Madison*, 225-227.

1. Constitutional principles of ratification: *Lalor's Cyclopaedia*, III. 938-940.

2. Question of calling for documents.

1796. Mar. 9. Amended treaty arrives.
24. House calls for all the papers.
30. Washington refuses: *Washington*, XII. 112-113.
Apr. 7. Resolutions of the House: *Hildreth's U. S.* IV. 589.

3. Constitutional question of refusing appropriations.

1796. Apr. 13. Debate on carrying out treaties.

1796. Apr. Gallatin's plan of delay; the appropriation voted.

1816-1867. Later discussions.

§ **155.** (**1789-1795.**) **Foreign affairs.—Relations with Spain.**

*Hildreth's U. S.* IV. 134-136, 569, V. 238-239; *Schouler's U. S.* I. 107; *McMaster's U. S.* II. 141-144; *Schuyler's American Diplomacy*, 271-280.

A. 1789-1794. International difficulties.
*a*. Florida boundary question.
*b*. Intrigues to detach the West.
*c*. Genet's scheme of invading Louisiana.
*d*. Mississippi navigation.

B. 1795. Oct. 27. Treaty of the Escurial.
Boundary settlement.
Right of deposit at New Orleans.

C. Miranda projects.

Foreign affairs. Barbary Powers: *Schuyler*, 205-218.

## FEDERAL POLICY (1794-1798).

§ **156.** (**1794-1798.**) **Whiskey Rebellion.**

*Hildreth's U. S.* IV. 373-376, 498-516; *Stevens' Gallatin*, 69-99; *Schouler's U. S.* I. 214-215; *Lalor's Cyclopaedia*, III. 1108-1112; *McMaster's U. S.* II. 41-43, 189-204; *Von Holst's U. S.* I. 98-104; *Outline*, 1883-84, *Lect.* XXV., 1884-85, *Lect.* XV. 1885-86, *Lect.* XIX; *Lodge's Hamilton*, 180-187.

1. Causes of the outbreak.

Character of the western settlers.

1790-1792. Excise legislation.

1792-1794. Violent opposition.
2. Attempt to suppress by ordinary means.
1794. (3) Armed outbreak.
Constitutional questions of coercion.
1794. Aug. Means of coercion.
Consent of the State: *Wharton*, 162.
"Suppressing rebellion."
"Combinations to prevent execution."
Proclamation (issued August 7): *Wharton*, 155-156.
1794. (5) Suppression of the rebellion.
Oct.-Nov. Military expedition.
Nov. Collapse of the rising: arrests and examination.
Question of Gallatin's responsibility.
1795. (6) Judical proceedings: *Stevens' Gallatin*, 99; *Wharton*, 176-183.
1795. Mitchell and Vigol treason cases.
(7) Effects of the rebellion.
(*a*) Strength given to the Government.
1705. Feb. 28. (*b*) Amended act for calling out the militia.
(*c*) Discouragement of Democratic societies.

### § 157. (1794-1797.) Retirement of President Washington

*Schouler's U. S.* I. 327-331; *Von Holst's U. S.* I. 132-137; *Stanwood's Presidential Elections*, 24-29: *McMaster's U. S.* II. 288-307: *Higginson's U. S.* 331-332.

**I. (1794-1796.) Monroe's mission to France:** *Gilman's Monroe*, 44-68; *Schouler's U. S.* I. 317-326; *Lalor's Cyclopaedia*, III. 1122: *Gay's Madison*, 220-232: *Von Holst's U. S.* I. 128-131.

1794. June. Monroe sent out in place of Morris.
Aug.-Sept. Reception by the Convention.—Flag episode.
1794-1796. Negotiations.—Anger of the French at the Jay treaty.
1796. Sept. Recall.—Criticisms on his course.
Dec. French government refuses to receive Pinckney.

**II. Resolution to Retire.**

1793-1797. Changes in the Cabinet.
1796. Mazzei letter and breach with Jefferson.
1796. Question of a third term.
Sept. 17. Farewell address.

**III. Election of 1796:** *Stanwood's Presidential Elections*, 24-28;

*Morse's John Adams*, 256-263; *Schouler's U. S.* I. 434; *Hildreth's U. S.* IV. 687-701; *Von Holst's U. S.* I. 130-134.

Candidates.—Federal and Republican.

Intrigue to defeat Adams.

Manifesto of the French minister.

1796. Electoral vote: *Diagram.*

1789-1797. Review of Washington's administration.

§ **158.** **(1797-1801.) Adams' Administration.—Elements.**

*Lalor's Cyclopaedia*, II. 168-170; *Morse's John Adams*, 265-277; *McMaster's U. S.* II. 308-311, 471-472; *Higginson's U. S.* 333-344; *Von Holst's U. S.* I. 134-137; BIBL. *Foster's References*, 5-8

Adams' character.

Adams' policy.

The Cabinet and its relations to the President.

Appointments.

1795-1797. Treaties with the Barbary powers: *Hildreth's U. S.* IV. 133, 457-459, 566-567.

§ **159.** **(1797-1799.) The X Y Z Affair.**

*Schouler's U. S.* I. 345-351, 374-391; *Von Holst's U. S.* I. 137-142; *Lalor's Cyclopaedia*, I. 290, III. 1122-1127; *Morse's John Adams*, 277-299; *Stevens' Gallatin*, 154-158; *McMaster's U. S.* II. 320, 367-388, 404-408; *Higginson's U. S.* 340-343; *Hildreth's* V. 207.

1797. May 15. Special message on the insult of Pinckney.

June. Pinckney, Gerry and Marshall sent out.

Oct.-Nov. The X Y Z overtures.

1798. April. Gerry remains to treat separately.

June 21. Adams' message on the crisis.

April-May. Military and naval preparation.

Conflicts on the ocean.

Question of Hamilton's command.

§ **160.** **(1789-1800.) Alien and Sedition Acts.**

*Lalor's Cyclopaedia*, I. 56-58; *Schouler's U. S.* I. 292-404; *McMaster's U. S.* II. 389-403; *Gay's Madison*, 239-243. BIBL. *Preston's Documents*, 277.

I. **Third Naturalization Act**: *Schouler's U. S.* I. 393; *Hildreth's U. S.* V. 213-214, 216; *See* § 147.

1798. Proposition to exclude foreigners from office: *Annals of Congress*, 1570.

Constitutional question of citizenship.

June 18. The act approved.

**II. Alien Act**: *Story's Commentaries*, §§ 1286-1289; *Schouler's U. S.* I. 394-399; °*Preston's Documents*, 278-280.

1798. Apr. Withdrawal of many Republican members.

Constitutional questions: *Madison*, IV. 524-532.

*a.* Personal liberty.

*b.* Migration.

*c.* Judicial functions of the executive.

June 28. The act approved.

**III. Alien Enemies Act.**

1798. May 8. Sewall's proposition for expelling alien enemies: *Annals of Congress*, 1566, 1631, 1776.

Constitutional question of the status of enemies.

July 6. Act approved.

**IV. Sedition Act**: *Schouler's U. S.* I. 394-404; *Von Holst's U. S.* I. 141-143; *Hildreth's U. S.* V. 225-232; °*Preston's Documents*, 280-282.

1798. June. Arrest of the editor of the *Aurora*.

29. Senate sedition bill.

Constitutional questions: *Madison*, IV. 532-550; *Schuyler in Johnston's American Orations*, I. 83-95.

*a.* Freedom of speech and the press: *Story's Commentaries*, §§ 1885-1886; *Lalor's Cyclopaedia*, II. 315-324.

*b.* Common law jurisdiction.

*c.* Habeas corpus: *Cooley*, 128-131.

July 9. Bayard's amendment: truth a defence: *Annals of Congress*, 2134.

14. The act approved.

Petitions against the act.

1799. Feb. 25. Goodrich's report: *Hildreth's U. S.* V. 297-302.

1800. Jan. Attempt to repeal: *Schouler's U. S.* I. 455-456.

**Application of the acts**: *Schouler's U. S.* I. 420-421, 448-450; *Hildreth's U. S.* V. 247-250, 352, 365-368; *McMaster's U. S.* II. 399-401, 466-473. *Cooke's Virginia*, 482-483.

1. Naturalization act—amended.
2. Alien act—not executed.
3. Alien enemies act—not in force.
4. Sedition act.—Lyon, Cooper, and Callender cases.

## VIRGINIA AND KENTUCKY RESOLUTIONS (1798-1800).

### § 161. (1798-1800.) Virginia and Kentucky Resolutions.—Causes.

*Lalor's Cyclopaedia*, I. 770-772.

Party spirit.

Sectional differences.

1798. June 1. Jefferson's letter on separation: *Jefferson*, IV. 245-248.

Alarm at Federal legislation.

Fundamental differences of Constitutional interpretation.

Expectation of arousing the other States.

### § 162. (1798-1799.) Virginia and Kentucky Resolutions.—Form.

*Lalor's Cyclopaedia*, II. 672-674; *Von Holst's U. S.* I. 143-150; *McMaster's U. S.* II. 418-426: BIBL. *Foster's References*, *p.* 6; *Outline* 1885-86, *Lect.* XXI.; *Greeley's American Conflict*, I. 81-84.

1798. Nov. 19. *First Kentucky resolutions: °*Shaler's Kentucky*, 409-416: °*Preston's Documents*, 287-295; *Elliot's Debates*, IV. 540-544.

1798. Dec. 21. *Virginia resolutions: °*Preston's Documents*, 284-287: *Elliot's Debates*, IV. 528-532; °*Stephens*, I. 276-278.

1799. Nov. 22. *Second Kentucky resolutions: °*Preston's Documents*, 295-298; *Elliot's Debates*, IV. 544-545.

1800. Madison's report: °*Elliot's Debates*, IV. 546-580: *Stephens*, I. 578-620; J's draft; °*Stephens*, I. 570-576.

### § 163. (1795-1800.) Virginia and Kentucky Resolutions—Discussion.

*Lalor's Cyclopaedia*, II. 674-677; *Von Holst's U. S.* I. 143-158; *Hildreth's U. S.* V. 272-277; *Schouler's U. S.* I. 422-424; *Shaler's Kentucky*, 141-144; *Gay's Madison*, 243-251; *Adams's Randolph*, 28-39. BIBL. *Preston's Documents*, 284; *Lalor's Cyclopaedia*, II. 677.

Authorship of the resolutions.

Meaning of "Interposition."

Meaning of "Nullification."

Was forcible resistance intended? *Adams's Randolph*, 25-27; *Cooke's Virginia*, 450-451.

Washington's fears: *Washington*, XI. 387-389.

Hamilton's letters: *Hamilton*, VI. 384; *Hamilton's Republic*, VII 277.

John Randolph's testimony: *J. A. Hamilton's Reminiscences*, 30.

### § 164. (1698-1800.) Virginia and Kentucky Resolutions.—Effect.

1799. Feb-Oct. Counter replies of other States.
1799-1801. Effect on the parties.
1799-1832. Effect as a precedent.
1799-1861. Effect on political doctrine.

## REMEDY FOR USURPATION (1789-1885).

### § 165. (1789-1885.) Remedy for Usurpation—"Interposition."

*Von Holst's U. S.* I. 150-196; *Madison's Works*, IV. 85-106.

I. By a declaration that a given act has no force anywhere.

1. Nature of government. Other Confederations.
2. The Constitution.
3. The "fathers." Expectation of a conflict: *Federalist* (*Dawson's ed.*) XVI. *pp.* 100-106.

1787. (4) Madison's view: negative.
1788. Madison's view: Supreme Court: *Federalist*, XXXVIII. *p.* 265.
1800. Madison's view: "Interposition": *Virginia Resolutions*, § 3.
1830. Madison's view: "Amendment": *Story's Commentaries*, § 396 *n.*
1832. (II) "Nullification" of acts in single States only.
1861. (III) "Secession," appeal to arms.

### § 166. (1789-1835.) Remedy for Usurpation.—Is there a final arbiter?

*Von Holst's Constitutional Law*, *pp.* 17-19.

1. Argument of necessity of an arbiter.

From the nature of government: *Kent*, I. 296-298.

Provisions of the Constitution: *Art.* IV.: *Story's Commentaries*, §§ 1637-1642.

Testimony.

*a.* Of "the fathers."
*b.* Of jurists: *Story's Commentaries*, § 1591.
*c.* Of the Supreme court: *Marshall*, 227-228.

Practice.
Analogy of international law.

2. Is the arbiter within the State governments?
Executive department.
Legislative department.
State courts.
State conventions.

3. Is the arbiter within the national government?
Executive department.
Congress.
National courts.
General convention.

### § 167. (1789-1885.) Remedy for Usurpation.—Is there remedy for the individual?

1. Controversies between citizens.
   *a*. Of the same State: *Story's Commentaries*, § 1660.
   *b*. Of different States or nations.
   Doctrine of cases arising under the constitution: *Marshall*, 224.
2. Controversies between a State and its citizens.
   *a*. The state as plaintiff.
   *b*. As prosecutor.
   *c*. The state as defendant. Doctrine of writ of error (Cohens *vs.* Virginia).
3. Controversies between a State and the citizens of another State.
   *a*. As plaintiff.
   *b*. As defendant. (Eleventh Amendment.)
   *c*. Doctrine of *bona fide* suits (New York *vs.* Mississippi).
4. Controversies between a State and a foreign State.
5. Controversies between States. Question of sovereignty.

### § 168 (1789-1885.) Remedy for usurpation.—Is there a judicial remedy against States?

Bibl. *in Stephens*, iv. 451-462.

1. Is a sovereign State suable without its consent? *Marshall*, 228, 230.
2. Have States given consent by ratifying the Constitution? *Marshall*, 223-226.
3. Did the framers of the Constitution intend that States should be sued? *Story's Commentaries*, §§ 388-395.

4. Have the United States courts maintained jurisdiction?

1793. Aug. Case of Georgia *vs.* Brailsford.

1793. Feb. Case of Chisholms *vs.* Georgia: *Story's Commentaries*, § 1677.

Agitations in Massachusetts and Georgia.

1794. Mar. 5. Eleventh Amendment proposed.

1798. Adoption of the Eleventh Amendment.

1809. Olmstead case.

1830. Case of Worcester *vs.* Georgia.

**§ 169. (1789-1885.) Remedy for Usurpation.—Is there a judicial remedy against the United States?**

1. Who decides between departments of the general government?
   *a.* Executive and legislative. (Treaties.)
   Legislative and executive. (Tenure of Office.)
   *b.* Judicial and executive. (Marbury *vs.* Madison.)
   Executive and judicial. (Habeas Corpus.)
   *c.* Judicial and legislative. (Dred Scott Case.)
   Legislative and judicial. (Court of Claims.)
2. Who decides between the individual and the general government?
   *a.* Doctrine of specific cases: *Story's Commentaries*, § 1640.
   *b.* Doctrine of "obiter dictum."
   *c.* Doctrine of judicial cases: *Story's Commentaries*, §§ 1640-1642.
   *d.* Doctrine that the United States cannot be sued: *Story's Commentaries*, §§ 1688-1672.
3. Who decides between States and the general government?

Conflicts with the United States legislature (1833, 1861).

Conflicts with the United States executive (1830, 1861).

Conflicts with the United States Courts (1809, 1861).

   *a.* Doctrine of cases "arising under the Constitution": *Marshall*, 224.
   *b.* Doctrine of appeal jurisdiction: *Marshall*, 250-256.
   *c.* Doctrine of political cases: 7 *Howard*, 40.

**§ 170. (1789-1885.) Remedy for usurpation—Political.**

**I. Declaration by a State legislature that the action of Congress is unconstitutional:** *Madison*, IV. 104-106.

(1) Effect of declaratory acts.

(2) The Constitution on the Supreme law.
1800. (3) Testimony of Madison: *Madison*, IV. 517-518, 553.
(5) Cases of remonstrance.
1793. Georgia.
1798-1799. Kentucky and Virginia.
1810. Virginia.
1819. Virginia, etc.

**II. Appeal to other States to join in such declarations.**

(1) No objection, unless treasonable.
(2) Constitution recognizes inter-state relations.
1800. (3) Madison's exposition: *Madison*, IV. 553-554.
(4) Cases of such appeals.
1798-1799. Kentucky and Virginia.
1815. Massachusetts and Connecticut.
1832. South Carolina, etc.

**III. Refusal to elect Senators**: *Congressional Debates*, IX. 507-509, 565-566.

**IV. Formal Proposition of Constitutional amendment**: *Story's Commentaries*, § 395; *Davis' Confederate Government*, I. 193-198.

1. Constitutional method in judicial cases.
2. Madison's exposition: *Madison*, IV. 523-554.

Cases:—

*a*. Single amendment proposed, 1794, etc.
*b*. Convention called for—1790, 1832, 1861, etc.: *Lalor's Cyclopaedia*, II. 675.

**V. Change of parties through regular elections**: *Madison in Story's Commentaries*, § 396 *n*.

1. The constitutional method in political cases.
2. Testimony of the Federalist: *No.* LXVII. *p*. 543-545.

## FALL OF THE FEDERALISTS (1798-1801).

### § 171. (1707-1801.) Fall of the Federalists.—Foreign policy.

*Schouler's U. S.* I. 430-435, 439-444: *Hildreth's U. S.* V. 283-293, 312-331; *Morse's John Adams*, 203-305; *Lodge's Hamilton*, 216-223: *Steven's Gallatin*, 152-168.

1799. French overtures to renew diplomatic relations.

Nov. Commission sent to negotiate.
1800. Sept. 30. Convention negotiated with France.
1893-1800. Origin of the French spoliation claims.
1798-1800. The Miranda project.

### § 172. (1798-1801.) Fall of the Federalists.—Domestic Policy.

*Magruder's Marshall*, 142-147; *McMaster's U. S.* II. 456-475, 529-533.

Robbins' case.
Sedition cases.
1799. Mar. Fries' insurrection.
1799-1890. Trials, and pardon of Fries.
1798-1800. Increased taxes.
1800. Judiciary act.
1800-1801. Judicial appointments: *Magruder's Marshall*, 155-160.

### § 173. (1799-1801.) Fall of the Federalists.—Internal dissensions.

*Lodge's Hamilton*, 201-208, 212-216, 223-235; *Schouler's U. S.* I. 466-475; *Morse's John Adams*, 231-235, 311-316; *Magruder's Marshall*, 150-154; *Higginson's U. S.* 343-344.

1. Breach between Adams and Hamilton.
Miranda affair.
Hamilton's commission.
Presidential elections.
1800. Hamilton's attack on Adams.
2. Breach between Adams and the cabinet.

### § 174. (1800.) Fall of the Federalists.—Election of 1800.

*Von Holst's U. S.* I. 168-170; *Lodge's Hamilton*, 227-229, 235-236; *Stanwood's Presidential Elections*, 30-43; *Stevens' Gallatin*, 168-173; *Schouler's U. S.* I. 473, 481-487; *Morse's John Adams*, 316-321; *Morse's Jefferson*, 195-200; *McMaster's U. S.* II. 496-522.

1800. Apr. New York goes Republican.
Hamilton's districting scheme.
1799. Washington's death.
Nominations.
1800. Candidates.
The campaign and party questions.
Choice of electors: *Map*, *Diagram*.

### § 175. (1801.) Fall of the Federalists.—Election in Congress.

*Morse's Jefferson*, 200-208; *Lodge's Hamilton*, 235-236; *Stevens' Gallatin*, 168-163: *Stanwood's Presidential Elections*, 43-44; *Von Holst's U. S.* I. 170-178; *Lalor's Cyclopædia*, I. 355-356, 806-807; *McMaster's U. S.* II. 522-526.

1801. Feb. Dead-lock in the House.
Federalist intrigue with Burr.
Question of Jefferson's assuming power.
Danger of civil war.
Was Jefferson pledged by the Federalists?
Choice of Jefferson for President.

### § 176. (1789-1801.) Fall of the Federalists.—Review.

*Hildreth's U. S.* V. 415-418; *Morse's John Adams*, 300-310, 321, 323; *Lodge's Hamilton*, 252-271; *Snow's Guide*, 66-68; *Von Holst's U. S.* I. 178-183; *Higginson's U. S.* 344-353.

Services of the party.
Faults of the party.
Reasons for the overthrow.
Forebodings of the Federalists.
Comparison with the Republican party.
Effect of the party on later history.

## REPUBLICAN POLICY (1800-1805).

### § 177. (1801.) Republican Policy.—Elements of Jefferson's Administration.

*Von Holst's U. S.* I. 177-183: *Hildreth's U. S.* V. 419-426: *Morse's Jefferson*, 90-93, 103, 209-218, 263-268: *Adams' Randolph*, 48-61, 71-73, 122-131: *Gay's Madison*, 252-256: *Morse's John Quincy Adams*, 24-35; *Stevens' Gallatin*, 289-290: *Snow's Guide*, 67-71. BIBL. *Foster's References*, 8-12: *Higginson's U. S.* 344-359.

Condition of the country in 1801; *McMaster's U. S.* II. 538-582.
Population: *Diagram.*
Economic: *Diagram.*
Social.
Character of Thomas Jefferson.
Jefferson's political principles.
Jefferson's doctrinaire declarations: *Morse's Jefferson*, 90-93, 103.

Jefferson's later principles: *Morse's Jefferson*, 209-218; *Schouler's U. S.* II. 2-15; *Adams' Randolph*, 54-62.
Jefferson's inaugural: *Statesmen's Manual*, 149-152; °*Johnston's American Orations*, I. 101-116.
Jefferson's Cabinet.
Character of Gallatin: *Lodge's Studies in History*, 263-293.
Republican strength in Congress.
Freedom from domestic and foreign complications.

### § 178. (1801-1805.) Republican Policy.—Civil Service.

*Morse's Jefferson*, 218-230; *Hildreth's U. S.* v. 426-431; *J. F. Merriam in Proceedings of the American Historical Association for April*, 1886; *McMaster's U. S.* II. 583-588, 597-600; *Salmon's Appointing Power*: *American Historical Association*, I. 306; *Stevens' Gallatin*, 290-293, 296-297; *Snow's Guide*, 71-74.

1789-1801. Principles of selection of officers.
1801. Adams' "midnight appointments": *Magruder's Marshall*, 157-160.
1793-1801. Jefferson's previous declarations on tenure of office.
1801. Gallatin's draft circular: *Adams' Gallatin*, 313-316, 273-278: § 1.
Jefferson's modified views.
Goodrich-Bishop case.
Quarrel with Burr.
Actual number of removals.
Effect on the later civil service.

### § 179. (1801-1805.) Republican Policy.—Finance.

*Stevens' Gallatin*, 176-288; *Hildreth's U. S.* v. 437-440, 653-661; *H. C. Adams' Taxation*, 57-60; *Lalor's Cyclopaedia*, II. 137, 191, 575, 727; *Snow's Guide*, 70, 74-78.

1793-1800. Republican criticisms on Hamilton's policy.
1801. Economy; foreign missions.
Debt. Scheme of extinguishment.
1803. Apr. 6. Internal revenue repealed.
1804. Mar. 3. Tariff. "Mediterranean fund."

### § 180. (1801-1805.) Republican Policy.—Foreign.

*Schouler's U. S.* II. 11, 16; *Snow's Guide*, 70, 79-80.

1. Alliances deprecated.
2. British joint commissions.

3. Foreign missions.
4. Defence; force reduced.
5. Tripolitan war: *Lalor's Cyclopaedia*, I. 46-47, 55-56; *McMaster's U. S.* II. 588-594, 602: *Schuyler's American Diplomacy*, 218-220.
6. Louisiana purchase: *See* §§ 182-188.

### § 181. (1801-1805.) Republican policy.—Judiciary.

**Judiciary act**: *Adams' Randolph*, 61-71; *Hildreth's U. S.* v. 440-441; *McMaster's U. S.* II. 607-612: *Morse's Jefferson*, 258-263.

1800-1801. Indignation at the Federal acts on the judiciary.

1802. Mar. 8. Federal judiciary act repealed.

Apr. 29. Act reorganizing the courts.

Constitutional question of freehold in offices.

Constitutional question of diminishing emolument during the term of appointment: *Story's Commentaries*, § 1633.

1803. **Case of Marbury vs. Madison**, *Marshall's Writings*, 1-20; *Von Holst's U. S.* II. 64; *Magruder's Marshall*, 182-186.

Question of the responsibility of Cabinet officers.

Question of the independence of the executive.

1803-1805. **Impeachment of judges**: *Hildreth's U. S.* v. 511-512, 540-544: *Adams' Randolph*, 82-83, 96-102, 131-153; *Lalor's Cyclopaedia*, II. 482; *Snow's Guide*, 67-68, 83-84.

Principles of impeachment: *Lalor's Cyclopaedia*, II. 481.

Who is an "officer of the United States"?

What is a "high crime or misdemeanor"?

1803. The Pennsylvania impeachment: *Schouler's U. S.* II. 54.

1804. Mar. 12. Pickering impeachment.

1805. Jan.-Mar. Chase trial: *Adams' Memoirs*, I. 322.

Mar. 1. Randolph's proposed amendment: removal of judges. Nicholas' proposed amendment: recalling senators.

## ANNEXATION OF LOUISIANA (1801-1805).

*Blaine's Twenty Years of Congress*, I. 1-11.

### § 182. (1500-1802.) Louisiana.—Territorial history.

*Lalor's Cyclopaedia*, I. 93-94; *Donaldson's Public Domain*, 89-93; *Morse's Jefferson*, 231-239; *Colonial Outline*, §§ 283, 312, 356.

1512-1541. Spanish discovery and claims.

1673-1682. French discovery of the Mississippi.
1699. First settlement: French at Biloxi.
1712-1717. (1) Crozat's grant for the valley of the Mississippi.
1763. Cession of the east bank of the Mississippi to England.
1762-1769. (2) Transfer of the west bank to Spain: *Cable's Creoles of Louisiana*, 54-80.
1783. England cedes Florida to Spain: *Map.*
1800. Oct. (3) Retrocession of Louisiana to France by the treaty of St. Ildefonso: *American State Papers, Public Lands*, VII. 576.
1802. Apr. Official notice of the retrocession.

**§ 183. (1801-1803.) Louisiana.—Negotiations for purchase.**

*Donaldson's Public Domain*, 93-95; *Morse's Jefferson*, 231-245; *Gilman's Monroe*, 74-85; *Schouler's U. S.* II. 37-46; *McMaster's U. S.* II. 620-628; *Adams' Randolph*, 75-81; *Snow's Guide*, 80-81.
1802. Jefferson's opinion of the importance of New Orleans: *Jefferson*, IV. 432-434.
1801-1802. Livingston's negotiations.
1802. Oct. 16. Privilege of deposit withdrawn: *Schuyler*, 250-251.
Dec. Debate on submitting papers.
1803. Jan. 10. Monroe sent out.
Feb. 7. Two millions appropriated.
Mar. 3. Act for calling out 80,000 militia.
Apr. 8. Talleyrand offers the whole territory.

**§ 184. (1803. April 30.) Louisiana.—The treaty.**

*Lalor's Cyclopaedia*, I. 93-96; *Gilman's Monroe*, 85-93; *Stevens' Gallatin*, 201-205; *Schouler's U. S.* II. 40-51; *Robertson's Louisiana Purchase*, 5-7; *Higginson's U. S.* 353-355; *Morse's Jefferson*, 245-247; °*Donaldson's Public Domain*, 95-99; *U. S. Treaties and Conventions*, 275-282.
The treaty of cession.
Convention on mode of payment.
Convention on American claims.
Who was responsible for the treaty?
What was the price paid?

**§ 185. (1803-1805.) Louisiana.—Question of Expediency.**

*Lalor's Cyclopaedia*, III. 945-946; *Gay's Madison*, 257-263; *Von Holst's U. S.* I. 183-187; *Wise's Seven Decades*, 35-39.

1803. Oct. 19. The treaty ratified by the Senate.
Question of the consent of Spain.
Influence of the annexation on the West.
Influence on slavery: *Greeley*, I. 53-57.
Influence on the South.
Influence on the East: threats of separation.
Influence on the national government.

### § 186. (1803-1805.) Louisiana.—Constitutional Question.

*Von Holst's U. S.* I. 183-193; *Story's Commentaries*, §§ 1277-1283; *Robertson's Louisiana Purchase*, 7-9; *Morse's Jefferson*, 247-258; *Stevens' Gallatin*, 294-296; *Adams' Randolph*, 85-95; *Greeley's American Conflict*, I. 184-185.

The terms of the treaty.

1. Republican view: *Randolph's Jefferson*, III. 78-80: *Adams' Randolph*, 83-86.
   War power.
   Treaty power.
   Power over the territories.
   Constructive powers.
2. Federalist view: *Adams' Randolph*, 88-95.
   Sectional objections.
   Pickering's partnership theory.
   Citizenship argument.
   New States argument.
   Argument from "ports."
3. Jefferson's view: *Morse's Jefferson*, 246-258: *Adams' Gallatin*, 319-321.
   Indemnifying amendment necessary.
   Republican *vs.* Federalist principles.

### § 187. (1803-1819.) Louisiana.—What did we acquire?

*Donaldson's Public Domain*, 104-105: *Robertson's Louisiana Purchase*, 9-12: *Barrow's Oregon*, 216-217: *Snow's Guide*, 82-83, 88; *Map*.

Had France any right to cede anything?

Boundaries as defined by the treaty.

1. Question of Oregon.
2. Question of West Florida.

3. Question of Texas.
4. Question of northern boundary.

### § 188. Louisiana.—Organization of the territory.

1. Louisiana: *Hildreth's U. S.* v. 495-498; *Schouler's U. S.* II. 51-52, 72-76.

803. Dec. 20. Louisiana turned over by France to the United States: *Donaldson's Public Domain*, 101-104.
1803. Attitude of the Creoles.
1804. Mar. 26. Organization of the territory of Orleans.
1805. Mar. 2. Act for a territorial government.

2. West Florida.

1804. Mar. 27. Act for organization of East Mississippi Territory. Discussion with Talleyrand: *Annals of Congress* (1804-1805), 1360.
1805-1806. Scheme of forcible occupation: *Morse's Jefferson*, 276-279; *Vile's Register*, III. 52.
1808. Diplomatic relations with Spain broken off. Louisiana effect; *Greeley's American Conflict*, I. 53-57; *Blaine*, I. 14-15.

## POLICY OF INTERNAL DEVELOPMENT (1801-1809).

### § 189. (1800-1820.) Internal Development.—Public Lands.

*Lalor's Cyclopaedia*, III. 469-472; *Snow's Guide*, 84.

1789-1801. Federal schemes: § 122.
1795-1806. Yazoo claims: *Adams' Randolph*, 102-112.
1800. May 10. Second land act.
1801. Gallatin's land policy: *Adams' Gallatin*, I. 297-298.
1802. Apr. 30. Act for school and road reservations.
1800-1820. Immigration and distribution.
1800-1820. Amount of land sales.
Policy of credit sales.
Policy of leasing mineral lands.

### § 190. (1801.) Internal Development.—National highways.

**I. Natural waterways.**

1. Ocean.
2. Great lakes.
3. Rivers.

II. Artificial waterways.

1. Protected coast navigation.
2. Around falls of the Blue Ridge.
3. Across the Alleghanies.
4. From Mississippi system to great lakes.
5. Improvement of rivers.

III. Roads.

1. Along the coast.
2. Across the mountains.
3. To the far West.

### § 191. (1775-1789.) Internal improvements.—Early schemes.

*Bancroft's Constitution*, I. 168-172, 250-252; *Bancroft's U. S.* (*last rev.*) VI. 125-128, 183-184.

1690-1750. (1) Colonial roads.
1777-1785. (2) Washington's trans-Alleghany scheme.
Danger of separation of the West.
1785-1789. (3) Improvement of the Potomac.
1785. (4) Trans-Alleghany roads.
1785. (5) Chesapeake-Delaware scheme.

### § 192. (1801-1809.) Internal development.—Admission of Ohio.

*Schouler's U. S.* II. 43; *Hildreth's U. S.* V. 475.

1789-1801. Growth of the Northwest.
1802. Ohio admitted.
1802. Conditions imposed on Ohio.
1802-1820. Political effects of the admission.

### § 193. (1801-1812.) Internal improvements.—Republican policy.

*Lalor's Cyclopaedia*, I. 711, II. 568-569; *Stevens' Gallatin*, 298-301; *Snow's Guide*, 86-88.

1791. Dec. 5. Hamilton's suggestion.
1791-1801. Apathy of the New England Federalists.
State tonnage duties.
1802. Feb. 13. Gallatin's proposition for a government road.
Apr. 30. Ohio act for five per cent fund.
1806. Mar. 29. First Cumberland Road act.
Extent and cost of the road.

1805-1807. Jefferson's proposition for a constitutional amendment: *Statesmen's Manual*, I. 190-191.

1807. Feb. 10. Coast Survey act: *Wise's Seven Decades*, 46-49.
Feb. 28. Land grant bill.

1808. Gallatin's report: *American State Papers, Miscellaneous*, I. 724.
1. Advantages of improvements.
2. Canals.
3. Main roads.
4. Western roads.
Railroads described.
Constitutional scruples of the President.

1812. Act for a north and south road.

1800-1812. Amount of appropriations: *Diagram*.

## OPPOSITION TO THE GOVERNMENT (1803-1809).

### § 194. (1803-1806.) Opposition to the government.—New England plot.

*Lalor's Cyclopaedia*, II. 170; *Von Holst's U. S.* I. 193-199; *Lodge's Studies in History*, 202-223.

**I. Causes of Federal dissatisfaction.**

1. Legislation.
2. Impeachments.
3. Louisiana purchase.
4. Republican supremacy.
5. Intrigues with Burr.

1804. Feb. 10. Hamilton's paper on Burr: *Hamilton's Republic*, VII. 770-771.

**II. Separation suggested as a remedy.**

1790-1793, 1794, 1795, 1796, 1798-1799, 1801, 1803.

**III. Evidence of a plot.**

(1) Plumer's correspondence: *Plumer's Life*, 283-308.

1828. (2) J. Q. Adams' testimony: *N. E. Federalism*, 52-57, 147, 228: *Morse's J. Q. Adams*, 216-220.

1829. (3) Eastern Federalists' denial: *N. E. Federalism*, 77.

(4) Pickering's correspondence: *Lodge's Cabot*, 337; *N. E. Federalism*, 338-356 *passim*.

IV. Effect of the "plot."

1. Injury to the Federalists: *Hamilton's Republic*, VII. 779, 787, 823; *Jefferson*, IV. 540.
2. Duel between Burr and Hamilton, 1804, July 10: *Lodge's Hamilton*, 245-252; *N. E. Federalism*, 163-170; *Adams' Randolph*, 113-115; °*Nott in Johnston's American Orations*, I. 117-128.
3. Advantage to the Republicans.

§ 195. (1804.) **Opposition to the government.—Election of 1804**

*Stanwood's Presidential Elections*, 45-50: *Hildreth's U. S.* V. 517-520, 530-533; *Morse's Jefferson*, 266-271; *Higginson's U. S.* 355.

Candidates.

1804. Feb. Republican caucus: Jefferson and Clinton.
Federalist nominations: Pinckney and King.
Defeat of Burr in New York.

Campaign.

Vote: *Diagram: Map.*

1804. Sept. 25. Twelfth amendment proclaimed: *Elliot's Debates*, I. 341-343; *Stanwood's Presidential Elections*, 46-47.

§ 196. (1805-1806.) **Opposition to the Administration.—"Quid Party."**

*Adams' Randolph*, 161-190, 204-205; *Morse's Jefferson*, 276-278; *Von Holst's U. S.* I. 221-224; *Lalor's Cyclopaedia*, III. 483; °*Randolph in Johnston's American Orations*, I. 129-144; *Benton's View*, I. 473-475.

Character of John Randolph.
Ultra-Republican constitutional principles.
General question of Jefferson's policy.
1801-1806. The Yazoo question.
1803-1806. Spanish imbroglio.
1805. Question of a second Louisiana appropriation.
1806. Mar. Attack on the administration.
1806-1812. Effect of the Quid party.

§ 197. (1796-1864.) **Burr's conspiracy.—Burr's political life.**

*Hildreth's U. S.* V. 594-603; *Randall's Jefferson*, III. 173-178.

Early life: *Parton's Burr.*
1796. Candidate for the Vice-Presidency.

1800-1801. Election as Vice-President.
1801. Quarrel with Jefferson.
1804. Quarrel with Hamilton.
1805. Apr. First trip to the West.
1805-1806. Intrigues in Washington.

§ **198.** (**1805-1806.**) **Burr's conspiracy.—The expedition.**

*Hildreth's U. S.* v. 603-614: *Randall's Jefferson*, III. 179-186.

1805-1806. Preparations.
1806. Dec. Descent of the Ohio.
Nov.-Dec. The attempt to stop Burr by legal process.
Dec. Muster of men.
Burr's probable intentions.

§ **199.** (**1806-1807.**) **Burr's conspiracy.—Suppression.**

*Cable's Creoles*, 147-155.

1806. Oct. 8. Swartwout comes to Wilkinson.
Dec. 9-14. Alarm and preparations at New Orleans.
Arbitrary arrests.
Nov. Jefferson's proclamation.
Dec. 20. Jefferson's orders.
1807. Jan. 18. Burr's surrender at Natchez.
Feb. 19. Burr's arrest in Alabama.

§ **200.** (**1806-1807.**) **Burr's conspiracy.—Political effect.**

*Goodell's Slavery and Anti-Slavery*, 280-286; *Wise's Seven Decades*, 39-41.

1. On Burr.
2. On the administration.
3. On parties.
4. On the Southwest.
5. On the national feeling.
6. On legislation.

1806. Dec. Recommendation of a force act: *Annals of Congress* (1806-1807), 218-219, 247-263.
1807. Mar. 3. Act for use of troops in "insurrections": *Statutes at Large*, II. 443.

## PERSONAL LIBERTY AND TREASON (1805-1807).

§ **201.** **1676-1806.** **Habeas Corpus.—Principles.**

*Lalor's Cyclopaedia*, II. 428-430.

1066-1676. English principles of personal liberty.
1676-1775. Habeas corpus act and its application.
1690-1775. Habeas corpus in the colonies.
1775-1788. Habeas corpus in the States.
1787. Limitations on the suspension of habeas corpus.
1676-1787. General principles of suspension.

### § 202. (1806-1807.) Habeas Corpus.—Cases.

*Hildreth's U. S.* v. 612-613, 626-627; *Randall's Jefferson*, III. 194-198.

1806. Returns made by Wilkinson: *Annals of Congress*, 530-562, 1010.
1807. Jan. 22. Jefferson's message on the exigency.
23. Senate suspension bill: *Annals of Congress* (1808-1809), *p.* 274 *n.*
26. Action of the House: *Annals of Congress* (1806-1871), *pp.* 402-424.
Feb. Writ in favor of Bollman and Swartwout: *Marshall's Works*, 41-52.
Feb. 17-19. House debate on enforcement.

### § 203. (1807-1885.) Habeas Corpus.—Status.

*Lalor's Cyclopaedia*, II. 432.

1807-1860. Cases of suspension or disregard.
1842. Act for a writ against State officers.
1862. Merryman case.
1861-1885. Power of Congress to delegate suspension.
Restraint on the power of State courts.

### § 204. (1066-1796.) Treason.—Principles.

1066-1601. Early English statutes and practice.
1607-1775. Treason against a colony.
1750-1775. Treason in a colony against the Crown.
1775-1778. Treason against a State.
1787. Treason defined in the Constitution.
1794. Principles laid down in the Mitchell and Vigol cases: § 156.
1799. Principles laid down in the Fries case: § 172.

**§ 205. (1806-1807.) Treason.—Cases.**

*Hildreth's U. S.* v. 668-673; *Magruder's Marshall*, 202-231.

1807. Feb. 25. Bollman and Swartwout cases: *Marshall.*
Sept. Burr's trial and acquittal.
Oct. Burr's trial for misdemeanor.
Criticisms on Marshall.
Question of subpœna on the President: *Jefferson*, v. 102-104: *Randall's Jefferson*, III. 205-212.
Question of executive interference with the courts: *Jefferson*, v 84, 175, 188.

**§ 206. (1807-1885.) Treason.—Status.**

*Story's Commentaries*, §§ 1796-1803; *Marshall's Works*, 54-55, 60-71, 83-85, 89-90, 100-105; *Lalor's Cyclopaedia*, III. 932-933.

1. What is "levying war"?
2. Against whom must war be levied?
3. Who may commit treason?
4. Who are "enemies"?
5. What is "adhering" to them?
6. What is an "overt act"?
7. Where shall the trial be held?

1865. Question of trials for taking military part in the rebellion.
1865-1872. Why were there no trials of civilians?

## NEUTRAL TRADE AND THE EMBARGO (1789-1809).

**§ 207. (1789-1806.) Neutral trade.—American foreign commerce.**

BIBL. *Dunbar's Topics in Political Economy* IV. *pp.* 13-14.

1789-1806. Imports and exports of the United States: *Diagram.*
1789-1806. Vessels engaged in foreign commerce: *Diagram.*
1793-1803. West India trade.
1793-1806. General neutral carrying trade.
1793-1803. Depredations of French cruisers and privateers.
1793-1806. Depredations of British cruisers and privateers.
Principles of neutral trade, §§ 72, 149: *Schuyler*, 379-380.

**§ 208. (1803-1809.) Neutral trade.—Foreign aggressions.**

*Hildreth's U. S.* v. 646-649: *Schouler's U. S.* II. 150-156: *Gay's*

*Madison*, 264-270, 275-278: *Morse's John Quincy Adams*, 37-46: *Dyer's Modern Europe*, v. 233; *Snow's Guide*, 92.

1803. War between France and England renewed.

1803-1805. **English system** of naval warfare.
Regulations on the blockade and Colonial trade.
Partisan decisions of admiralty courts.
Impressment renewed.

1803-1812. **Napoleon's "Continental system"**: *Fyffe's Modern Europe*, I. 336-338.

1806-1807. **"Orders in Council" and "Decrees"**: °*American State Papers, Foreign*, III. 267-273; °*Dwight's Hartford Convention*, 83-86; °*Annals of Congress*, Appendix.

1803-1805. Regulations of blockade and colonial trade.

1806. May 16. Brest to Elbe blockade order.
Sept. 25. Order modifying that of May 16.
Nov. 21. Berlin Decree: °*Annals of Congress*, (1806-1807), 727.

1807. Jan. 7. Mar. 12. Order and decree prohibiting neutral coasting trade.
Nov. 11. Orders blockading all neutral and allied ports.
Dec. 17. Milan decree.

1803-1812. Effect of the aggressions on American commerce: *Diagram.*

### § 209. (1805-1807.) Neutral trade.—Jefferson's Policy.

*Morse's Jefferson*, 272-276, 286-308; *Hildreth's U. S.* v. 653-665, 674-686; *Schouler's U. S.* II. 133-150; *Morse's John Quincy Adams*, 47-52; *Gay's Madison*, 270-275; *Snow's Guide*, 88-89, 90-92, 92-93; *Gilman's Monroe*, 93-103; *Adam's Randolph*, 212-213, 222-227; *Higginson's U. S.* 355-356; *Wise's Seven Decades.*

1801-1809. (1) Question of a navy: *Adams' Randolph*. 115-122.

1801-1809. (2) Question of arming merchant ships.

1803-1809. (3) "Gunboat system" of defence: *Jefferson's Works*, I. 330, IV. 597-568, V. 42; *Adam's Gallatin*, 299-300; 352-357; *Hildreth's U. S.* V. 538, 576, 649, 651, VI. 29-30.

1805. Mar. 3. (4) Act for enforcing order in ports.

1806. Apr. 18. (5) Conditional non-importation act.

1806-1807. (6) Negotiation with England.

1806. Jay treaty expires.
1807. May. Pinkney's new treaty held back by Jefferson: *Schuyler's American Diplomacy*, 427-428; *Wise's Seven Decades*, 42-43.
1807. (7) Danger of war with England.
1807. June 22. Leopard-Chesapeake affair.
Oct. 16. Impressment proclamation.
Oct. 22. Negotiations broken off by Canning.

### § 210. (1807.) The Embargo.—The acts.

*Morse's Jefferson*, 298-301; *Lalor's Cyclopaedia*, II. 79-85; *Schouler's U. S.* II. 156-165; *Hildreth's U. S.* VI. 35-44; *Morse's John Quincy Adams*, 52-57; *Higginson's U. S.* 436-538. BIBL. *Foster's References*. II.; *Short's Reference Lists*, *p.* 69.

1794. Precedent of an embargo: § 152.
1807. Jefferson's recommendation and hurried debates.
Dec. 22. The act passed.
1808. Jan-Apr. Supplementary acts.
June. John Quincy Adams read out of his party: *Morse's John Quincy Adams*, 56-70.

### § 211. (1807.) The Embargo.—Question of constitutionality.

*Story's Commentaries*, II. §§ 1284-1286; *Von Holst's U. S.* I. 200-205; *Lodge's Webster*, 42-45; *Adams' Randolph*, 226-228.
Was it a "regulation of commerce"?
Was it an exercise of the war power?

### § 212. (1807-1809.) The Embargo.—Effects.

*Morse's Jefferson*, 301-310; *Von Holst's U. S.* I. 205-213; *Schouler's U. S.* II. 172-194; *Hildreth's U. S.* VI. 108-124; *Gay's Madison*, 278-282; *Snow's Guide*, 93-95.
Effect on foreign powers.
Effect on American commerce: *Stevens' Gallatin*, 205-212.
Effect on New England.
Necessity of enforcement.

### § 213. (1809.) The Embargo.—Repeal.

*Morse's Jefferson*, 310-316; *Schouler's U. S.* II. 194-198; *Hildreth's U. S.* VI. 124-136; *Von Holst's U. S.* I. 214-225; *Stevens' Gallatin*, 302-305.
Fear of a separation of New England.

1809. Feb. 3. Hasty repeal of the act.
Feb. 26. Non-intercourse act substituted.
1809-1825. Charge of a Federal plot.
1809. Jefferson's contemporary account: *Jefferson*, v. 424-429, 433.
1825. Jefferson's later account: *Adams' N. E. Federalism*, 131, 133.
1828. Adams' account: *Morse's John Quincy Adams*, 216-220.
1809. Henry's mission.
Extent of Federal plans: *Lodge's Cabot*, 373-480: *Adams N. E. Federalism*, 373-374.

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### § 314. (1808 1809.) Retirement of Jefferson.

**I. Election of 1808**: *Stanwood's Presidential Elections*, 51-56: *Hildreth's U. S.* VI. 62-67: 93-94: *Schouler's U. S.* II. 166-172, 183-184; *Snow's Guide*, 95-97; *Adams' Randolph*, 228-236.
Question of a third term: *Morse's Jefferson*, 316-320.
Republican caucus: Monroe movement.
Federal candidates.
The campaign.
The vote: *Map; Diagram.*

**I. Review of Jefferson's administration**: *Schouler's U. S.* II. 198-204.

1. Application of his doctrinaire principles: See § 177.
2. Finance, revenue, and debt: *Stevens' Gallatin*, 206-216, 232-239.
3. Territorial extension: See §§ 182-188: *Map.*
4. State of the country in 1809.
5. Foreign policy; condition of affairs.
6. Responsibility of Jefferson: *Adams' Gallatin*, 377.
7. Jefferson's character and later life: *Morse's Jefferson*, 321-330.
8. Jefferson's influence as an oracle.
9. Influence of Jefferson's name.

### § 315. (1809-1817.) Madison's administration.—Element.

*Schouler's U. S.* II. 279-281: *Stevens' Gallatin*, 305-311: *Hildreth's U. S.* VI. 149-150; *Higginson's U. S.* 360-365: *Adams' Gal-*

*latin*, 389-392 : *Snow's Guide*, 97-98 ; *Adams' Randolph*, 238, 243.
BIBL. *Foster's References*, 12-15 ; *Schouler's U. S.* II. 462-463.
Madison's character : *See* § 99.
Madison's policy.
The cabinet.
Entrance of young men into political life.
Foundation of later party lines.
Use of the name "Democratic."

**§ 216. (1809-1812.) Madison's administration.—Foreign complications.**

*Gay's Madison*, 283-300 ; *Stevens' Gallatin*, 305-309.

**I. France.** *Hildreth's U. S.* VI. 194, 214-223 ; *Schouler's U. S.* II. 301-305 ; *Adams' Gallatin*, 419-423 ; *Gay's Madison*, 315-320.

1808. Apr. 17. Bayonne decree : °*American State Papers, Foreign*, III. 291.
1810. Mar. 23. Rambouillet decree : °*American State Papers, Foreign*, III. 364 ; *Dwight's Hartford Convention*, 156.
Aug. 5. Duke of Cadoro's letter : *American State Papers, Foreign*, III. 387.
5. Secret decree of the Trianon : *Gallatin*, II. 198.
1811. Barlow's negotiations : *Hildreth's U. S.* VI. 249.

**II. England** : *Hildreth's U. S.* VI. 165-177, 183-195, 217, 242-244 ; *Schouler's U. S.* II. 281-298, 305-311 ; *Gay's Madison*, 283-289.

1809. Apr.-Aug. Erskine treaty.
June 10. Proclamation restoring intercourse with England.
Aug. Proclamation again prohibiting intercourse.
1810-1811. Missions of Rose and Jackson.
1810. Sept. Pinkney's negotiation fails : *Quincy's Life*, 199-204.
1811. May 16. Little Belt affair : *Schouler's U. S.* II. 330.
Nov. Battle of Tippecanoe : *Schouler's U. S.* II. 331-333.

**III. Spain** : *Schouler's U. S.* II. 312-314.

**IV. American legislation** : *Gay's Madison*, 281-300 ; *Snow's Guide*, 98-99 ; *Hildreth's U. S.* VI. 196-205, 232-236 ; *Schouler's U. S.* II. 291-299 : *Adams' Gallatin*, 412-416.

1810. Mar. "Macon's bill No. 1."
May 1. "Macon's bill No. 2" : *Statutes at Large*, II. 605.
Nov. 1. Proclamation in favor of France.
1811. Mar. 2. Eppe's bill ; non-intercourse renewed : *Statutes at Large*, II. 651.

## ELEMENTS OF THE WAR OF 1812.

### § 217. (1801-1812.) War of 1812.—Causes.

*Von Holst's U. S.* I. 226-242; *Sumner's Jackson*, 26-30; *Von Holst's Calhoun*, 12-26; *Gay's Madison*, 301-308; *Schouler's U. S.* I. 325-329; *Higginson's U. S.* 365-372.

1799-1801. Feeling of friendship toward Great Britain.
1803-1812. Effect of the Louisiana purchase.
1801-1805. Aggressions on American trade.
1806. Expiration of the Jay treaty.
1806. "Orders in Council."
1803-1812. Impressments.
1807-1811. Leopard and Little Belt affairs.
1789-1812. Death or retirement of the great statesmen of the Revolution.
1789-1812. Influence of the West.
1812. Hope of conquering Canada.
1812. Danger of an Indian war.

### § 218. (1812-1815.) Elements of the War.—Economic and Social.

**I. Population** of the United States: *Schouler's U. S.* II. 205-208.
Population of England.

**II. Wealth** of the United States.
Wealth of England.

**III. Financial Condition of the United States**: *Adams' Gallatin*, 453-481; *Stevens' Gallatin*, 212-224; *Snow's Guide*, 102-103, 108-110.
Debt and loans.
United States notes: *Lalor's Cyclopædia*, III. 961-965.
Taxation.

1811. United States Bank refused a new charter: *Lalor's Cyclopædia*, I. 209; *Hildreth's U. S.* VI. 228; *Snow's Guide*, 99-100; *Schouler's U. S.* II. 316-319.
1811-1816. State bank system.
Suspension of specie payments.
Condition of England: *Dunbar's Topics in Political Economy* IV. *p.* 14.

**IV. Resources** of the United States: *Dunbar's Topics in Political Economy*, IV. *p.* 14; *Schouler's U. S.* II. 215-221.

1813. The war embargo: *Lodge's Webster*, 51-60.

Resources of England.

**V. Commerce** of the United States.

Commerce of England.

**VI. Social life** of the United States: *Schouler's U. S.* II. 224-278.

### § 219. (1811-1815.) Elements of the War.—Political.

**I. State of the British Government**: *Schouler's U. S.* II. 352-353.

Absorption in the war with France.

Jealousy of the American republic.

Loyalty of Canada.

**II. State of the government of the United States.**

1. Political institutions: *Schouler's U. S.* II. 208-215.

2. Want of control over the States.

1810. Olmstead case: *Hildreth's U. S.* VI. 155-165.

3. Want of loyalty to the government.

1811. Threats of secession at the admission of Louisiana: *Quincy's Life*, 205-215; °*Quincy in Johnston's American Orations*, I. 145-169.

4. Disaffection in New England.

1812. Mar. Purchase of Henry's document: *Gay's Madison*, 308, 315: *Benton's Abridgment*, IV. 506-508.

**III. Attitude of parties**: *Schouler's U. S.* II. 336-356, 371-375.

Bibl. *Short's Reference List*, *p.* 71.

The Young Republicans and the war party: °*Clay in Johnston's American Orations*, I. 170-182.

The Quids.

The Peace Republicans.

The Federalist: *Lodge's Webster*, 45-50.

1812. Madison agrees to war as the price of renomination.

**IV. Inefficiency of the administration**: *Gay's Madison*, 321-330; *Snow's Guide*, 104-105: *Gilman's Monroe*, 104-116: *Schouler's U. S.* 319-323.

Madison as a war President.

Feebleness of the Cabinet.

Bickerings and changes.

V. State of France.

1812-1814. Russian campaign and the fall of the Empire.

§ 220 (1811-1815.) **Elments of the war.—Military.**

*Snow's Guide*, 101-102; *Schouler's U. S.* II. 338-345.

I. The American Army.

Regular troops.

Militia.

Frontiersmen.

Drafts: *Lalor's Cyclopaedia*, I. 836.

Discipline.

Officers. New troops: *Williams*, II. 23-27.

II. The British Army.

Regular troops.

Canadians.

Indians.

III. The American Navy: *Schouler's U. S.* II. 365-265; *Roosevelt's Naval War of* 1812.

1812. Forces at the beginning of the war.

1812-1815. Ships built during the war.

Efficiency of the navy.

1815. The navy at the end of the war.

1813-1815. Privateers.

Negro sailors: *Williams*, II. 28-30.

IV. The British Navy: *Roosevelt's Naval War of* 1812.

1812. Forces at the beginning of the war.

1812-1815. Services of the navy.

V. Theatre of war.

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Atlantic coast.

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§ 221. (1812.) **Elements of the War.—Outbreak.**

*Von Holst's U. S.* I. 230-242: *Schouler's U. S.* II. 348-356: *Gay's Madison*, 301-308, 315-320: *Hildreth's U. S.* VI. 302-307, 313-320; *Snow's Guide*, 100-101.

I. Who was the enemy?

Suggestion of a triangular war: *Jefferson*, VI. 57; *Madison* II. 335.

**II. What was the occasion?**

1812. May 30. Great Britain refuses concessions.

**The Declaration.**

1812. Apr. Ninety-day embargo. Navy and militia acts.

June 1. War message: *Statesmen's Manual*, I. 293-298.

18. Declaratory act: *Benton's Abridgement*, IV. 418, 554-590; *Wise's Seven Decades*, 52-53.

**IV. Election of 1812**: *Stanwood's Presidential Elections*, 57-63; *Schouler's U. S.* II. 368-371.

May. Republican candidates: Madison and Gerry.

May. Clinton nominated by the peace Republicans.

Sept. Clinton accepted by the Federalists.

The campaign.

The vote: *Map; Diagram.*

**V. Question of suspending the war**: *Schouler's U. S.* II. 365-368.

1812. June 13. Orders in council withdrawn.

Negotiations on impressment.

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*Wise's Seven Decades* 60-63.

### § 222. (1812-1814.) War of 1812.—Indian and Canadian campaigns.

*Johnston's History of the United States* §§ 357-365, 392-395; *Snow's Guide*, 103-104, 105-106; *Schouler's U. S.* II. 331-335, 357-358, 386-388, 403-406.

1811. Indian campaign: battle of Tippecanoe.

1812. Hull's surrender and Dearborn's failure.

1813. Harrison's campaigns and defeat of Tecumseh.

Failure of Indian campaigns.

1814. Jacob Brown's campaign.

### § 223. (1812-1815). War of 1812.—Naval.

*Johnston's U. S.* §§ 366-383; *Hildreth's U. S.* VI. 364-371, 397-400, 418-431, 434-436; *Schouler's U. S.* II. 362-365, 382-386, 392-393; *Roosevelt's Naval War of* 1812; *Snow's Guide*, 107-108.

1812. Captures of the Guerriere, Frolic and Macedonian.

1813. Capture of the Peacock.

1813. Blockades. Loss of the Chesapeake.

1813-1814. Cruise of the Essex.
1813. Sept. Perry's victory on Lake Erie.
1814. Macdonough's victory on Lake Champlain.
1814-1815. Minor victories: American navy crippled.

### § 224. (1813-1815.) War of 1812.—British invasion.

*Johnston's U. S.* §§ 384-389; *Hildreth's U. S.* VI. 402, 422-426, 451, 484, 499-518; *Schouler's U. S.* II. 394-395, 407-412; *Snow's Guide*, 107; *Gilman's Munroe*, 116-124; *Higginson's U. S.* 375-377.

1813-1814. Harrassing of the Atlantic coast by the British.
1814. Maine invaded.
Aug. Capture and burning of Washington.
Sept. Attack on Baltimore.

### § 225. (1813-1815.) War of 1812.—Southwest.

*Johnston's U. S.* §§ 396-402; *Sumner's Jackson*, 30-40; *Snow's Guide*, 106-107; *Schouler's U. S.* II. 388-392, 413-414, 438-443.

1813. Aug. 29. Indian massacre at Fort Mimms.
1813-1814. Jackson's campaign against the Creeks.
1814. Nov. Jackson's capture of Pensacola.
1815. Jan. 8. Battle of New Orleans.

## INTERNAL OPPOSITION TO THE WAR (1812-1815).

### § 226. (1812-1815.) Opposition to the war.—Militia Question.

*Snow's Guide*, 110-112; *Hall's U. S.* II. 349.

I. Principles of employment.
As a defence.
For foreign service.
Against insurrections.

II. Organization.

1811-1812. Debates on classification.
1812. Feb. 6. Act on volunteers.
Apr. 10. Detachment act.

III. Opposition of the States: *Dwight's Hartford Convention*, 253-257.

1812. Apr. 15. Secretary of War orders detachment.
June 12. Order permitting Dearborn to summon.

1812-1813. Action of the New England States.
1812. Nov. 4. Madison's message: *Statesmen's Manual*, 296-304.
1813. Feb. 28. Giles' report: *Dwight's Hartford Convention*, 270.
**IV. Constitutional question**: *Story's Commentaries*, §§ 1204-1206.
Question of the duty of the States.
Question of the judge of the exigency.
Question of the delegating powers.
Case of Martin *vs.* Mott (1827): °12 *Wheaton*, 19.

### § 227. (1812-1815.) Opposition to the war.—Hartford Convention.

*Von Holst's U. S.* I. 243-227: *Adams' N. E. Federalism*, 245; *Dwight's Hartford Convention; Lalor's Cyclopaedia*, I. 624-626; *Snow's Guide*, 112-116; *Schouler's U. S.* II. 417-429; *Higginson's U. S.* 372-374.

**I. Occasion**: *Hildreth's U. S.* VI. 465-477.
Militia.
West India trade.
Election.
Embargo.
British licenses to trade.

**II. Position of Massachusetts**; *Schouler's U. S.* II. 411-422.
1812-1815. Addresses and violent resolutions.

**II. The call**: *Dwight's Hartford Convention*, 335-351.
1814. Feb. 18. Lloyd's report on "interposition": *Niles' Register*, VI. 4.
Oct. 8. Call sent out by Mass.: *Niles' Register*, VII. 149-167.
Action of Connecticut and Rhode Island.
Action of New Hampshire and Vermont.
Instructions of delegates: *Lodge's Cabot*, 505.

**IV. The Meeting**: *Dwight's Hartford Convention*, 399-411; *Hildreth's U. S.* VI. 545-553.
1814. Dec. 15. Assembly at Hartford.
Anxiety of the government.
1815. Jan. 5. "Report" of the convention: °*Niles Register*, VII. 305.
Feb. Commissioners sent to Washington.

**V. Was there a plot for secession?**

Testimony of the journal of the convention: *Dwight's Hartford Convention*, 383-400.

Testimony of the chief actors: *Adam's N. E. Federalism*, 387-426.

Testimony of the administration.

Comparison with Virginia and Kentucky resolutions: *See* §§ 162-164.

### § 228. 1814. Opposition to the war.—Martial law.

**I. Jackson's military executions:** *Sumner's Jackson*, 33-36.

What are courts martial? *Lalor's Cyclopaedia*, I. 673-694.

**II. Louallier case:** *Ingersoll's Second War*, IV. 119-123, 246-253, 260; *Sumner's Jackson*, 44-48.

1814. Dec. 13. Jackson declares martial law.

Mar. 5-14. Court martial of Louallier.

27. Jackson fined: *Niles' Register*, VIII. 246-248.

Fine refunded: *Benton*, II. 499-502.

**III. Constitutional principles:** *Hurd's Habeas Corpus*, 127 *n*; *North American Review*, XCIII. 486, 501-504.

When it may be declared: *Jefferson's Correspondence*, IV. 155.

Effect on civil law.

Judge of the exigency.

## PEACE (1814).

### § 229. (1812-1814.) Peace.—Elements.

*Adams' Gallatin*, 478-488; *Morse's John Quincy Adams*, 73-77. *Schouler's U. S.* II. 376-377; 400-402.

1812. Want of definite causes of war.

1813-1814. Popular weariness of the war.

1813-1814. Danger from the Indians.

1812-1814. Downfall of the French Empire.

1612-1813. Russian offers of mediation.

1813. May. Gallatin and Bayard sent out.

1814. Feb. 8. Appointment of five commissioners.

### § 230. 1814. Peace.—Questions to be settled.

*Morse's John Quincy Adams*, 77-93; *Stevens' Gallatin*, 309-339.

1. Restoration of peace.

2. Status of captured territory.
3. Impressment (abandoned June, 1814).
4. Indians and a proposed neutral belt.
5. Search of American vessels.
6. Fisheries.
7. Opening of the Mississippi: *Schuyler*, 281.
8. Settlement of boundary questions
9. Settlement of claims for slaves.
10. Commercial restrictions.

### § 231. (1814.) Peace of Ghent.—Provisions.

*Morse's John Quincy Adams*, 93-96; *Von Holst's U. S.* I. 273-275; *Snow's Guide*, 116-117; °*U. S. Treaties*, 338-344; ° *Statutes at Large*, VIII. 218-223.

1. Terms of peace.
2. Boundary commissioners.
3. Restoration of Indian tribes.
4. Slave trade.

1815. Dec. 22. Commercial convention: °*U. S. Treaties*, 344-347.

### § 232. (1812-1829.) Effect of the War of 1812.

*Tucker's U. S.* III. 190-193; *Schouler's U. S.* II. 444-447, 452-453, 456-458; *Von Holst's U. S.* I. 273-277; *Higginson's U. S.* 377-379, BIBL. *Short's Reference Lists*, No. 112, *p.* 72; *Wise's Seven Decades*, 55-56.

**I. Political effect:** *Lalor's Cyclopædia*, I. 772-773.

On parties: ruin of the Federalists.
Rise of military reputations.
Influence of the young men.

**II. Effect on national feeling:** *Sumner's Jackson*, 42-43.

Pride in the achievements of the navy.
Feeling of common patriotism and loyalty.
The battle of New Orleans.
Extrication of the United States from European politics.
Disappearance of old political issues.
Ground cleared for the slavery conflict.

**III. Effect on constitutional agitation.**

Questions arising out of the war.
Ground cleared for constitutional decisions.

## FINANCIAL AND COMMERCIAL REORGANIZATION (1815-1824).

### § 233. (1815-1817.) Financial and Commercial Reorganization.—Elements.

*Lalor's Cyclopædia*, I. 772-774; *Von Holst's U. S.* I. 382-384; *Benton's Thirty Years' View*, I. 1-6; *Hildreth's U. S.* VI. 581-583; *Sumner's Jackson*, 40-42; *Bolles' Financial History of the U. S.* II. 284-293; *Snow's Guide*, 67. BIBL. *Dunbar's Topics in Political Economy*, IV. *p.* 14; *Wise's Seven Decades*, 57, 63-71; *Johnston's American Orations*, I. 183-195.

1812-1815. The national finances.
Cost of the war.
Increase in public debt: *Diagram.*
1812-1815. Foreign commerce.
1812-1815. Domestic trade.
1812-1815. American manufactures.
1815-1829. Internal Improvements made by the States.
1815. Attitude of parties and public men.
1815-1817. The West as a factor in legislation.
Reduction of the army: *Benton's View*, I. 11.

### § 234. (1815-1822.) Financial organization.—The Bank.

*Sumner's American Currency*, 68-79; *Von Holst's U. S.* I. 384-388: *Bolles' Financial History of the U. S.* II. 278-282, 317-329; *Schouler's U. S.* II. 446-452, III. 37-39, 109-122, 245-247: *Hildreth's U. S.* VI. 589-591; 606-609; 651-653, 679-682; *Lalor's Cyclopædia*, I. 208-209, II. 190-192: *Sumner's Jackson*, 230-233: *Snow's Guide*, 124-125; *Lodge's Webster*, 61-67; Von Holst's Calhoun, 31-33.

1811. Expiration of the old bank.
1813. (1) Charter bill voted down: *Hildreth's U. S.* VI 463.
1814. (2) Calhoun's bill: *Benton's Abridgement*, V. 171.
1814. Campbell's finance: *See* § 218.
Commercial crises.
1815. Jan. (3) Dallas' bill vetoed: *Statesmen's Manual*, I. 323.
Dec. (4) Dallas' new project: *Niles's Register*, IX. 261, 366.
1816. Apr. 10. Bank act.
1817. Feb. 20. Resolution on paper money.
1815-1819. Improvement in the national finances.
1819-1821. Commercial crises.

1819. Feb. 1. *Scire facias* resolution: *Hildreth's U. S.* VI. 650-654.

1821-1822. Recovery of the bank.

### § 235. (1815-1819.) Commercial reorganization.— The tariff of 1816.

*Hildreth's U. S.* VI. 583-588; *Von Holst's U. S.* I. 396-400; *Bolles' Financial History*, II. 359-374 [Protectionist view]; *Lalor's Cyclopaedia*, III. 859-860; *Snow's Guide*, 118-124; *Schouler's U. S.* III. 40-43; *Sumner's Jackson*, 75-79; *Von Holst's Calhoun*, 33-35; *Benton's View*, I. 33-34; *Blaine's Twenty Years*, I. 188-190; *Greeley's American Conflict*, I. 89-91; *Lodge's Webster*, 157-161. BIBL. *Taussig's References to Political Economy*, VI. *pp.* 3-4; *Short's Reference Lists*, No. 128; *Foster's References*, 19.

I. (1789-1812.) Policy of revenue tariffs:

*Taussig's Protection to Young Industries*, 14-21; *Taussig's "Outline of Political Economy*, VI." *pp.* 1-2; *Bolles' Financial History of the U. S.* II. 73-87; *Lalor's Cyclopaedia*, III. 856-859; *Snow's Guide*, *Appendix*, 40.

II. (1813-1816.) First protective tariff.

1815. Dec. 5. Madison's recommendation: *Statesmen's Manual*, I. 331.

1816. Feb. 12. Dallas' report.

Mar. Debates on the tariff.

Apr. Tariff act: °*Statutes at Large*, III. 310.

1818. Apr. 20. Act altering duties on iron.

1819. Commercial crisis: *Snow's Guide*, 125-126.

### § 236. (1816-1822.) Commercial reorganization. — Constitutional question of internal improvements.

*Von Holst's U. S.* I. 388-396; *Lalor's Cyclopaedia*, II. 569-570; *Kent's Commentaries*, 267-268; *Benton's Thirty Years' View*, I. 21-27; *Von Holst's Calhoun*, 27-30, 35-41; *Lodge's Webster*, 68-71; *Snow's Guide*, 126-128; *Schouler's U. S.* III. 454-457, 247-254; *Hildreth's U. S.* VI., 591, 617-618, 631, 660; *Sargent's Public Men and Events*, I. 24-28. BIBL. *Short's Reference Lists*, No. 137.

I. Powers of the United States to make internal improvements.

1. Clause on "post roads": *Kent's Commentaries*, I. 186-197.

2. Clause on "commerce between the States."

3. Clause on "making war."
4. Clause on the territories.
5. Clause on taxes and appropriations: *Story's Commentaries*, § 1267.
6. Clause on the "general welfare."
7. Clause on "necessary and proper" acts.

Question of the previous consent of States.

1817-1822. Character of the constitutional discussion.

**II (1806-1847.) Proposed amendment of the Constitution**: *Lalor's Cyclopaedia*, I. 609.

**III. (1816-1822.) Policy of internal improvements.**

1816. Dec. 3. Madison's recommendations: *Statesmen's Manual*, I. 335.

Dec. 23. Calhoun's Bonus bill: *Calhoun's Works*, II. 186-187.

1816-1822. Amount of appropriations: *Diagram*.

**IV. (1817-1822.) Vetoes of internal improvement bills.**

1817. Mar. 3. Madison's veto: *Benton's Abridgment*, V. 721.

Dec. 2. Monroe's message against internal improvements: *Statesmen's Manual*, I. 403.

1817. Mar. 14. House resolutions asserting the right of appropriation.

1822. May 4. Monroe's veto of the Cumberland road bill: *Statesmen's Manual*, I. 491.

24. Monroe's "views": *Eliot's Debates*, IV. 525; *Gilman's Monroe*, 239-248.

## § 237. (1815-1829.) Commercial organization.—Foreign commerce.

*Sumner's Jackson*, 165-170, 197; *Snow's Guide*, 137; *Schouler's U. S.* II. 455-456, III. 39-40, 121-129; *Hildreth's U. S.* VI. 609-611.

BIBL. *Dunbar's Topics in Political Economy*, IV. *p.* 21.

**I. Mediterranean affairs**: *Hildreth's U. S.* VI. 577-579; *Schuyler's American Diplomacy*, 220-232.

1815-1816. Algerine war.

1815. Commercial convention: *Schuyler's American Diplomacy*, 428-429. *See* § 231.

1815-1817. Revival of trade with England.
Question of West India trade.
1817. Mar. 1. Navigation act: *Lalor's Cyclopaedia*, II. 975.
1818. Oct. 20. Boundary convention.
Fishery convention: *Schuyler's American Diplomacy*, 408-414.
1820. May 15. Retaliatory act on colonial trade.
1818-1824. Question of slave trade and right of search: *Schuyler's American Diplomacy*, 240-247.
1822-1827. Arbitration for slave claims: *Benton's Thirty Years View*, I. 88-91.
1822-1823. Question of the navigation of the St. Lawrence: *Schuyler's American Diplomacy*, 282-286.

III. (1815-1829.) Statistics of Foreign Commerce.

## § 238 (1816-1826.) Monroe's Administration—Elements.

*Gilman's Munroe*, 125-126; *Morse's John Quincy Adams*, 102-108; *Higginson's U. S.* 390-405; *Snow's Guide*, 118, 140-146; *Schouler's U. S.* II. 458-462, III. 1-20; *Sargent's Public Men and Events*, I. 19-21. BIBL. *Gilman's Monroe*, 267-268; *Foster's References*, 15-19.

I. (1816.) Election of 1816: *Stanwood's Presidential Elections*, 64-69; *Lalor's Cyclopaedia*, I. 367.
1. Candidates.
2. Position of Randolph.
3. Campaign.
4. Vote: *Diagram: Map.*

II. (1817-1825.) Monroe's policy.—General.
Character of James Monroe: *Gilman's Monroe*, 180-199: *Schouler's U. S.* III. 200-207.
Monroe's theory of government: *Gilman's Monroe*, 213-217.
Inaugural address: *Statesmen's Manual*, 390-396.
Cabinet.
Appointments: *Schouler's U. S.* III. 235, 271-275.

III. (1820.) Election of 1820: *Stanwood's Presidential Elections*, 70-78; *Snow's Guide*, 140: *Schouler's U. S.* II. 197-199: *Sumner's Jackson*, 73; *Hildreth's U. S.* VI. 701-702.

IV. (1820-1825.) Era of good feeling: *Gilman's Monroe*, 125-

140; *Schouler's U. S.* III. 43-54, 256-259; *Lalor's Cyclopaedia*, II. 108-109.

Obliteration of old party lines.

Incapacity and faction in Congress.

Personal feelings and personal quarrels: *Benton's View*, I. 7-8.

Development of sectional and party questions.

Increased influence of the masses.

Rise of the "spoils system" in the States.

## ANNEXATION OF FLORIDA (1803-1819).

### § 239. (1803-1813.) Florida.—West Florida question.

*Hildreth's U. S.* VI. 223-228, 310; *Donaldson's Public Domain*, 108-109; *Map*.

1803-1806. Spain left in possession: *See* § 188: *Sumner's Jackson*, 19-20.

1808. Official relations broken off.

1810. Effect of the revolution.

Oct. 27. Proclamation for occupation: *Schouler's U. S.* II. 312.

1811. Jan. 15. Joint resolution for possession: *Hildreth's U. S.* VI. 225.

1812. Annexation as far as the Pearl.

1813. Annexation as far as the Perdido: *Von Holst's U. S.* I. 336.

### § 240. (1805-1814.) Florida.—East Florida question.

*Sumner's Jackson*, 49-72: *Donaldson's Public Domain*, 109; *Snow's Guide*, 128-130.

1805-1806. Two-million appropriation: *Adams' Randolph*, 161-173.

1811. Jan. 15. Act for temporary occupation: *Schouler's U. S.* II. 313.

1812. House bill for permanent occupation: *Hildreth's U. S.* VI. 311.

Aug. Invasion by Georgia troops: *Hildreth's U. S.* VI 374-375.

1813. May. Order for withdrawal.

1814. Jackson attacks the British in Pensacola: *Hildreth's U. S.* VI. 521, 539.

### § 241. (1815-1818.) Florida.—Seminole war.

*Sumner's Jackson*, 49-67: *Von Holst's U. S.* I. 336-339; *Schou-*

*ler's U. S.* III. 57-95; *Von Holst's Calhoun*, 88-93; *Gilman's Monroe*, 140-143; *Hildreth's U. S.* VI. 605-606, 627-628, 641-646, 654-657; *Sargent's Public Men and Events*, I. 21-24.

1815-1816. Causes of the outbreak.
1816. Destruction of the negro fort.
1816-1817. Jackson's campaigns.
1818. Apr.-May. St. Marks and Pensacola occupied.
Apr. Arbuthnot and Ambrister cases.
Question of the responsibility for the invasion.
Question of a court-martial on Jackson.
1818-1829. Effects of the war.

### § 242. (1803-1819.) Florida.—Texas question.

*Von Holst's U. S.* II. 548-558. BIBL. *Foster's References*, 19.

1599-1762. Ancient boundary disputes.
1803. Boundary between Mexico and Louisiana: *Adams' Memoirs*, VI. 220-221.
1806. Wilkinson's temporary agreement: *Hildreth's U. S.* V. 611.
1808. Revolt of the Spanish colonies.
1815. Favorable juncture for negotiations.

### § 243. (1815-1819.) Treaty of 1819.—Negotiations.

*Gilman's Monroe*, 108-119: *Snow's Guide*, 130-131; *Schouler's U. S.* III. 23-24; *Hildreth's U. S.* VI. 647.

Reasons for Spanish cession.
Question of the consideration to be paid.
Question of the western boundary.
Question of land titles and land claims.

### § 244. (1819-1820.) Treaty of 1819.—The Treaty.

*Lalor's Cyclopaedia*, I. 96, III. 947: *Schouler's U. S.* III. 95-96, 130-133, 175; *Donaldson's Public Domain*, 110-114; *Sumner's Jackson*, 67-69: *Snow's Guide*, 130-132; *Hildreth's U. S.* VI. 658, 686, 712-713; °*U. S. Treaties*, 785-794; °*Donaldson's Public Domain*, 111-114; *Blaine*, I. 13-14.

1819. Feb. 22. Treaty signed.
Cession of the Floridas.
Western boundary: *Sargent's Public Men and Events*, 164-165.
Cession north of the forty-second parallel.
Question of claims.
1828. Oct. 20. Ratification by Spain.

1821. July. Formal transfer: *Donaldson's Public Domain*, 116.
Cost and area of the purchase.

### § 245. (1819-1845.) Treaty of 1819.—Effect.

*Morse's John Quincy Adams*, 117-119, 123-126; *Schouler's U. S.* III. 96-99, 176-178, 239-244, 275-277; *Benton's Thirty Years' View*, I. 15-18.

Reception by the American public.
Question of the Spanish land grants: *Morse's John Quincy Adams*, 117-119.
Question of the territorial government of Florida: *Morse's John Quincy Adams*, 159-163.
The Callava question: *Sumner's Jackson*, 69-72.
Effect on Spanish influence in America.
Effect on the far north-west.
Effect on the growth of slavery.

## THE SLAVERY QUESTION (1808-1820).

### § 246. (1808-1820.) Slavery.—Growth of the system.

*Von Holst's U. S.* I. 340-356; *Lalor's Cyclopaedia*, III. 730-732; *Schouler's U. S.* III. 134-138, 145-147; *Davis' Rise and Fall of the Confederate Government*, I. 3-14; *Cox's Three Decades of Federal Legislation*, 35-45; *Goodell, Slavery and Anti-Slavery*, 341-352; *Draper*, I. 292-352.

1789-1808. Previous growth: *See* § 140.
1808-1820. Increase by illegal importation.
Natural increase of the black population: *Diagram.*
1808-1820. Effect on the population of the sections: *Diagram.*
Effect on the wealth of the sections.
Effect on the civilization of the sections.
Persistence of slavery in free states.
Faint hope of eradicating slavery.
Status of the free negro.
Inter-state slave trade.
1803-1819. Effect of annexations.
1815-1819. Effect of the tariff and internal improvements.

### § 247. (1808-1820.) Slavery.—The Slave trade.

*Lalor's Cyclopaedia*, III. 732-733; *Schouler's U. S.* III. 140-144; *Hildreth's U. S.* VI. 638, 660-681; *Wilson's Slave Power*, I. 97-111; *Goodell*, 259-262.

1816. Randolph's inquiry into the trade in the District of Columbia. *Annals of Congress*, 1115.
1817. Amelia Island station broken up: *Benton's Abridgment*, VI. 19.
Jan. 12. Burrill's resolution: *Benton's Abridgment*, VI. 11.
1819. Mar. 3. Additional act: °*Statutes at Large*, III. 532.
1820. May 15. Slave-trade declared piracy: °*Statutes at Large*, III. 600; *Schuyler*, 244-245.
1820. State of the trade: *Jay*, 276-282: *Williams*, II. 10-14.
Reasons for English opposition: *Schuyler*, 234-238.

**§ 248. (1816-1829.) Slavery.—The Colonization Movement.**

*Von Holst's U. S.* I. 329-333; *Snow's Guide*, 137; *Greeley's American Conflict*, I. 71-74; *Wilson's Slave Power*, I. 208-222; *Schouler's U. S.* III. 138-144; *Hildreth's U. S.* VI. 613-616; *Garrison*, I. 90-91; *Williams' Negro Race in America*, II. 51-59; *Wilson*, I, 208-222; *Draper*, I. 331-332.

1801. Nov. Jefferson's scheme; *Jefferson*, IV. 419.
1816. Dec. 28. Society formed.
1817. Jan.-Feb. Action of Congress.
1820. Operations begun.
1820-1860. Republics of Liberia and Monrovia.
1820-1860. Effect of the work of the Society: *Jay's Miscellaneous Writings*, 78-80.

**§ 249. (1808-1829.) Slavery.—Status in the Territories.**

*Goodell*, 236-243; *Cairnes*, 108 *cf.* § 139.

1787-1820. Territory north of the Ohio made free: §§ 54, 121.
1790-1820. Territory south of the Ohio made slave: § 139.
1800-1820. Status in the District of Columbia.
1803-1820. Status in Louisiana.
1809-1820. Status in Florida.

**§ 250. (1808-1820.) Slavery.—Equilibrium of the Sections.**

*Snow's Guide*, 132-134: *Schouler's U. S.* III. 99-101; *Draper*, I. 197-201, 389.

1. In population.
1790-1820. Gain of the North: *Diagram.*
2. In area.
1790-1820. Gain of the South: *Diagram.*
3. In the Senate.
Indemnity for slaves: *Benton*, I. 88-91; *Wilson*, I. 112-122.

Annexation and slavery: *Coxe's Three Decades*, 43-45.
Indian policy and slavery: *Wilson*, I. 122-124.

1791-1819. Alternate admission of States: *Map.*

4. In the House.

1790-1819. Effect of the Federal ratio: *Diagram.*
1790-1819. Gain of the North: *Diagram.*

## THE MISSOURI COMPROMISE (1819-1821)

*Blaine*, I. 15-21: *Draper*, I. 349-354.

### § 251. (1819-1821.) Missouri Compromise.—Elements.

*Schouler's U. S.* III. 147-148, 155-156: *Hildreth's U. S.* VI. 660-662; *Von Holst's U. S.* I. 357-358; *Cairnes' Slave Power*, 108-111.

Why did the question come up in 1819?
Character of the Northern leaders.
Character of the Southern leaders.
Influence of old Federalists.
Position of the middle States.
Presentation of a definite political issue.

### § 252. (1819.) Missouri compromise.—Arkansas Debate.

*Von Holst's U. S.* I. 372-373; *Greeley's American Conflict*, I. 75; *Schouler's U. S.* III. 101-103: *Hildreth's U. S.* VI. 662-676.

Bill for the erection of the Territory.
Suggestion of a compromise line: *Benton's Abridgment*, VI. 359, 363.
Taylor's prohibitory amendment: *Benton's Abridgment*, VI. 366.
Taylor's modified (36° 30′) amendment: *Benton's Abridgment*, VI. 366.
Arkansas organized without limitation.

### § 253. (1812-1819.) Missouri Compromise.—First Missouri Debate.

*Hildreth's U. S.* VI. 661-676: *Tucker's U. S.* III. 254-257; *Schouler's U. S.* III. 148-151; *Greeley's American Conflict*, I. 74-75: *Wilson*, I. 135-139; *Williams*, II. 14-19; *Stephen's*, II. 135-138.

1812. June 4. Missouri territory formed. *Statutes at Large*, II. 743.
1818. Apr. First admission bill: no action.
Dec. 3. Admission of Illinois.
1819. Feb. 13. Second admission bill (House).
15. Tallmadge's amendment: probibition and emancipation: *Benton's Abridgment*, VI. 333.

27. Senate strikes out the amendment.

Mar. 3. Adjournment without action.
Excited public feeling.
Action of legislatures.

Dec. 14. Admission of Alabama.

**§ 254 (1819-1820) Missouri Compromise.—Second Debate.**

*Hildreth's U. S.* VI. 682-691; *Greeley's American Conflict*, I. 75-79; *Schouler's U. S.* III. 154-163; *Wilson*, I. 139-147; *Williams*, II. 19-20.

1819. Dec. 30. (1) **Maine bill** passes the House.

1820. Jan. (2) **Amendment coupling Missouri** offered in Senate.

Feb. 1. Roberts' prohibitory amendment lost: *Benton's Abridgment*, VI. 434.

16. Coupling amendment carried: *Benton's Abridgment*, VI. 450.

17. Trimble's amendment (line west of Missouri and Arkansas) lost: *Benton's Abridgment*, VI. 451.

17. Thomas' amendment (basis of later compromise) accepted: *Benton's Abridgment*, VI. 451.

23. House disagrees to Senate amendments: *Benton's Abridgment*, VI. 557.

Jan. 24. (3) **Missouri bill.**
Debated in the House: *Benton's Abridgment*, VI. 476.

26. Storrs' amendment (38° and fugitives) lost: *Benton's Abridgment*, VI. 477-479.

27. Taylor's amendment (prohibition and fugitives). *Benton's Abridgment*, VI. 479.

Feb. 29. Storrs' "recommendatory" amendment lost: *Benton's Abridgment*, VI. 562-564.

29. Taylor's amendment accepted: *Benton's Abridgment*, VI. 564.

Mar. 1. (4) **Dead-lock**: House passes its Missouri bill: *Annals of Congress*, 1572.

**§ 255. (1820.) Missouri Compromise.—The great compromise.**

*Tucker's U. S.* III. 283-287: *Schouler's U. S.* III. 163-166: *Greeley's American Conflict*, I. 79-80: *Wilson*, I. 147-149; *Stephens*, II. 149.

1820. (1) **Who proposed it?**

(2) **Its terms.**

1820. Mar. 2. House withdraws restrictions from Missouri bill: *Benton's Abridgment* VI. 570; *Annals of Congress*, 1587.

2. House accepts 36° 30′ clause: *Benton's Abridgment*, VI. 570; *Annals of Congress*, 1587.

2. Senate inserts 36° 30′: *Benton's Abridgment*, VI. 453; *Annals of Congress*, 471.

3. Senate withdraws Missouri amendment to Maine bill; *Benton's Abridgment*, VI. 454: *Annals of Congress*, 471.

Vote analyzed: **Stephen*, II. 149-156.

(3) **Monroe's scruples.**

*a*. May Congress prohibit slavery in the Territories?

*b*. Does "forever" mean "for ever"?

*c*. Is the act constitutional?

1820. Mar. 15. (4) **Act allowing Missouri to form a Constitution.**

### § 256. (1820-1821.) Missouri Compromise.—The second compromise.

*Lalor's Cyclopaedia*, I. 550-551; *Schouler's U. S.* III. 178-186; *Hildreth's U. S.* VI. 703, 705-713; *Von Holst's U. S.* I. 378-381; *Wilson*, I. 153-161; *Stephens*, II. 156-161.

**I. State Constitution.**

1820. Nov. 23. Submitted to Congress: *Niles Register*, XIX. 51.

1. Limitations on power of legislature to interfere with slavery.

2. Prohibition of entrance of free negroes.

**II. Constitutional question of citizenship.**

1. May free negroes be citizens?

2. May Congress compel a State to observe the laws of another State?

**III. Question of the electoral vote.**

**IV. Clay's compromise.**

1820. Dec. 11. Senate accepts the constitution: *Annals of Congress*, 118.

Dec. 13. House refuses to accept the constitution: *Annals of Congress*, 640.

1821. Feb. 22. Clay's proposition for a committee: *Benton's Abridgment*, VII. 126; *Annals of Congress*, 1219.

1821. Feb. 26. House accepts the "citizen of the States" clause: *Benton's Abridgment*, VII. 129.
Senate accepts it: *Annals of Congress*, 388.

## DISCUSSION OF THE MISSOURI COMPROMISE (1820-1821).

### § 257. (1820.) Missouri Compromise.—Was it just?

*Lalor's Cyclopaedia*, I. 551-552; *Schouler's U. S.* III. 171-173. BIBL. *Short's Reference Lists*, *p.* 42: *Foster's References*, 17-18; *Lalor's Cyclopaedia*, I. 554: *Wise's Seven Decades*, 73-74; *Toombs in Stephens*, I. 635: *Draper*, I. 352-354: *Cairnes*, 110-111.

**I. The Northern side.**

1. All men "free and equal."
2. Injury to Missouri and the Northwest.
3. Discouragement of free labor.
4. Increase of slave population.
5. Responsibility for slavery.

**II. The Southern side.**

1. Common territory.
2. Common protection.
3. Unequal division by the compromise.

### § 258. (1820.) Missouri Compromise.—Was it expedient?

*Gilman's Monroe*, 144-149: *Snow's Guide*, 134-137; *Schouler's U. S.* III. 168-171; *Von Holst's U. S.* I. 374-378.

**I. Dangers of postponement.**

1. Character of the population of Missouri.
2. Influence on the Northwest.
3. Aggravation of the slavery contest.

**II. Dangers of restricting States.**

1. State-rights.

### § 259. (1820.) Missouri Compromise.—Was it necessary in order to save the Union?

*Von Holst's U. S.* I. 370-372, 378.
Jefferson's opinion: *Jefferson*, VII. 148, 158, 179, 204, 211.
J. Q. Adams' opinion: *Adams' Memoirs*, IV. 529-533: *Morse's John Quincy Adams*, 120-123.

Monroe's opinion: *Gilman's Monroe*, 145.
Calhoun's opinion: *Von Holst's Calhoun*, 293.
Benton's opinion: *Benton's Thirty Years' View*, I. 8-10.

### § 260. (1820.) Missouri Compromise.—Was it constitutional?

*Von Holst's U. S.* I. 359-370; *Lalor's Cyclopaedia*, I. 549-550; *Tucker's U. S.* III. 269-282; *Schouler's U. S.* III. 166-167; *Hildreth's U. S.* VI. 690-694; *Stephens*, II. 135-149; *Benton's View*, II. 140-143.

I. Questions at Issue.

1. Could Congress prevent the introduction of slavery?
2. Are Territories property?
3. Was Louisiana like other territory?
4. Could Congress abolish slavery where it had existed?
5. Did the treaty of 1803 secure slavery?
6. Could Congress bind its successors?
7. Could Congress bind States?

II. Arguments for restriction.

1. Expectations of the "fathers of the Constitution."
2. Precedent of Northwest Ordinance.
3. Discretion in admitting new States.
4. Precedents of limitation on other States.
5. Power to regulate commerce.
6. Guarantee of a republican form of government.

III. Arguments against restriction.

1. Sovereignty of the States.
2. Status of new States.
3. "Migration or importation."
4. Force of the treaty of 1803.

### § 261. (1820-1850.) Missouri Compromise.—Effects.

*Schouler's U. S.* III. 186-188; *Higginson's U. S.* 390-393; *Hildreth's U. S.* VI. 694-698; *Benton's Thirty Years' View*, I. 8-10; *Wilson*, I. 149-152.

On Missouri.
On the Territories.
On the South.
On the North.
On the slavery contest. *Draper*, I. 354-359.

It is the opinion of the whole court, that the judgment of the court of Appeals of Virginia, rendered on the mandate in this cause, be reversed, and the judgment of the District court, at Held at Winchester, be, and the same is hereby affirmed. Curtis p. 585

On the development of the nation; *Adams' Memoirs*, v. 3-13.
1820. Was it observed as a settlement? *Stephens*, II. 161-163.
Attempt to make Illinois a slave state; *Wilson*, I. 161-164.
Attempt to make Arkansas a free state; *Stephens*, II. 163-164.

## CONSTITUTIONAL DECISIONS (1800-1824).

### § 262. (1800-1829.) Constitutional decisions.—Elements.

*Magruder's Marshall*, 161-182. *Sumner's Jackson*, 128-132, 135.

1800-1824. Character of John Marshall and his coadjutors.
1800-1809. The judiciary terrorized.
1815-1829. Consciousness of national feeling.
1815-1829. Extension of the field of national government.
1815-1829. Application of the doctrine of construction in legislation.
1800-1829. Influence of Federalist principles.

### § 263 (1801-1829.) Constitutional decisions.—Jurisdiction of the Courts asserted.

*Sumner's Jackson*, 130.

• 1803. MARBURY *vs.* MADISON: § 181. Magruder's Marshall 182-186.
May the Supreme Court declare an act of Congress unconstitutional? 1 Cranch's Reports, vol. i. p. 158

• 1816. MARTIN *vs.* HUNTER'S LESSEE: °1. *Wheaton*, 304; *Curtis*, III. 562.
1. May the Supreme Court declare a State law unconstitutional?
2. May the Supreme Court pass on the validity of a treaty?

• 1821. COHENS *vs.* VIRGINIA: *Van Santvoord's Chief Justices*, 466-469; *Magruder's Marshall*, 198-201; °*Marshall*, 221-261; °6 *Wheaton*, 264.
1. Has the Supreme Court jurisdiction? *Story's Commentaries*, §§ 1703-1715.
   *a*. Doctrine of jurisdiction where a State is a party.
   *b*. Doctrine of jurisdiction where the Constitution is involved.
   *c*. Doctrine of the writ of error.
2. Is the operation of a special act of Congress for the district of Columbia confined to the District? *Marshall*, 256-261.

### § 264. (1801-1824.) Constitutional decisions.—Powers of Congress maintained.

*Sumner's Jackson*, 128.

• 1819. (I.) MCCULLOUGH *vs.* MARYLAND: *Van Santvoord's Chief Justices*, 459-465; *Magruder's Marshall*, 194-198; °*Marshall*, 160-187; °4 *Wheaton*, 316 (400); *Curtis*, IV. 415.

Martin v. Mott.

"The act of Feb. 28, 1795, which confers power on the President to call forth the militia in certain exigencies, is a constitutional law, and the President is the exclusive and final judge whether the exigency has arisen.

"A requisition by him is an order, and it is not necessary in pleading to set out the order; it is enough to aver that it was made.

"Disobedience of an order of the President calling forth the militia renders a citizen liable to trial by a court-martial.

"Such a court-martial is not required to be organized according to the rules and articles of war, under the act of congress, nor did its authority expire with the war" 12 Wheaton p. 10.

1. Has Congress power to create corporations? *Story's Commentaries*, §§ 1257-1261.
   *a*. Implied powers.
   *b*. Territorial governments.
   *c*. Precedent of the District of Columbia.
2. Has Congress power to incorporate a bank? *Story's Commentaries*, §§ 1262-1267.
   *a*. Necessary and proper clause: § 128.
   *b*. Clause voted down in the Convention.
3. Can a State tax the bank? *Kent's Commentaries*, I. 398-401.
   *a*. Doctrine of concurrent taxation.
   *b*. Doctrine of public corporations.

II. (1824) OSBORN ET AL. *vs.* BANK OF THE U.S.: *Van Santvoord's Chief Justices*, 461-466; °*Marshall*, 315-342; °9 *Wheaton*, 738; *Curtis*, VI. 251. (See notes.)

1. May the United States protect the bank against a State? *Marshall*, 324-333.
2. Is the bank a public institution? *Marshall*, 334-340.

III. (1869-1884.) LEGAL TENDER CASES: *Knox's U. S. Notes.*

1869. (*a*) Hepburn *vs.* Griswold: °8 *Wallace*, 603-640.
1870. (*b*) Legal tender case: °12 *Wallace*, 457.
1884. (*c*) Julliard *vs.* Greenman: °*Knox's U. S. Notes, Appendix*, 156-166.

### § 265. (1801-1829.) Constitutional decisions.—Powers of the Executive defended.

1800-1803. Rebuff in the case of Marbury *vs.* Madison: § 181.
1806-1807. Wish of the executive to extend his powers: §§ 180, 205.
1827 CASE OF MARTIN *vs.* MOTT: § 226: °12 *Wheaton*, 19.
Who is the judge of the exigency of invasion?
May the President delegate his military powers?

### § 266. (1801-1829.) Constitutional decisions.—Limitations on the powers of the States.

*Sumner's Jackson*, 128 130.

1809. UNITED STATES *vs.* JUDGE PETERS: °5 *Cranch*, 115, 141.
1. May a State Legislature annul a judgment of a United States Court? *Marshall*, 120-125.

1810. FLETCHER *vs.* PECK: *Van Santvoord's Chief Justices*, 411-413; *Magruder's Marshall*, 186-190.
1. May a State annul its own grants? *Marshall*, 131-138.

"The power to regulate commerce includes the power to regulate navigation, and does not stop at the external boundary of a State.

"It does not comprehend that commerce which is completely internal.

"The Laws of New York, which grant to Livingston and Fulton the exclusive right to navigate all waters within the jurisdiction of that State, with boats moved by steam or fire, for a term of years, are inoperative so far as against the laws of the United States regulating the coasting trade, and can not authorize vessels licensed to carry on the coasting trade under the laws of the United States, from navigating those waters in the prosecution of that trade."

1 Wheaton p. 1.

1819. STURGES *vs.* CROWNINSHIELD.

1. May a State release a citizen from a private contract? *Marshall*, 155-158.

1819. DARTMOUTH COLLEGE CASE: *Van Santwood's Chief Justices*, 450-455; *Lodge's Webster*, 72-108; *Magruder's Marshall*, 190-193; °*Marshall*, 188-210; °4 *Wheaton*, 518; *Curtis*, IV. 460.

1. Are charters contracts? *Story's Commentaries*, §§ 1392-1395; *Kent's Commentaries*, I. 390-393.
   *a*. Doctrine of private corporations.
   *b*. Doctrine of the intent of the framers of the Constitution.
2. Is the New Hampshire law a violation of the charter? *Kent's Commentaries*, I. 393.
   *a*. Doctrine of the effect of revolution.
   *b*. Doctrine of the supremacy of the Constitution.

1824. GIBBONS *vs.* OGDEN: °9 *Wheaton*, I.; °*Marshall*, 287-304; *Curtis*, II. 1.

1. May a State grant monopolies of navigation?
   *a*. Commerce clause.
   *b*. Preference to ports.

### § 267. (1805-1829.) Constitutional Decisions.—Effect.

*Sumner's Jackson*, 130-132; *Magruder's Marshall*, 161-201.

Connection with political history.
Objections of the Jeffersonians.
Effect on legislation.
Effect on party divisions.
Effect on the judiciary.
Effect on the development of the Constitution.

## ELEMENTS OF THE MONROE DOCTRINE (1789-1823).

### § 268. (1492-1789.) European colonization.—Progress.

1493-1789. Spanish colonies.
1500-1825. Portuguese colonies.
1604-1763. French colonies.
1607-1775. English colonies.
1613-1664. Dutch colonies: *Lodge's Colonies*, 285-297.
1637-1655. Swedish colonies: *Lodge's Colonies*, 206-207.

1714-1867. Russian colonies.
1789. Distribution of American colonies: *Map.*

### § 269. (1492-1789.) European colonization.—Principles.

1. Direction of the colonies.
2. System of commercial restrictions.
3. Complication in European wars.
4. Policy of supporting revolts of the colonies of unfriendly powers.

### § 270. (1799-1820.) European colonization.—Revolt of the Spanish American colonies.

*Schouler's U. S.* III. 25-27: *Dyer's Modern Europe*, V. 370. BIBL. *Outline*, 1885-86, *p.* 69.

1799-1807. British schemes: Miranda project: §§ 171, 173.
1808. French conquest of Spain: first revolt of the colonies.
1814-1816. Restoration of the Bourbons: the colonies subdued.
1814-1816. Tyranny of the Bourbons.
1818-1821. Second revolt and declarations of independence.
1816. Life and influence of General Bolivar.

### § 271. (1814-1824.) European political system.

*Snow's Guide*, 146-148: *Schouler's U. S.* III. 31-36, 255-256, 277-286. BIBL. *Outline*, 1885-86, *p.* 70.

1814-1815. End of the French revolution: Spirit of the restoration
1815-1817. The Holy Alliance: *Lalor's Cyclopaedia*, I. 66-69; °*Hertslet's Map of Europe by Treaty*, I. 317.
1818-1822. Intervention in Europe.
1818-1823. Spain asks for intervention in America.
1818-1822. Recognition of the Spanish American states by the United States.
1823-1824. Spain asks for a congress on American affairs.
1823. Aug.-Sept. British proposal to the United States for a joint declaration against intervention.
1823. Russian sympathy with Spain.

### § 272. (1823.) Monroe Doctrine.—Status of America.

1. Colonies and dependencies of Great Britain, France, Holland, Denmark, and Portugal.

2. Spanish dominions.

1819-1824. Designs of England, France, and the United States on Cuba: *Von Holst's U. S.* I. 141 *n.*

3. Independent Spanish American States.

4. The United States of America.

5. Russian claims: *Schuyler's American Diplomacy*, 294-297.

1790. Oct. 28. Nootka Sound Convention: *Greenhow's Oregon.*

1821. Jan. 30. Imperial ukase on the Northwest coast: *American State Papers, Foreign* V.

1823. July 17. Adams' declaration on colonization: *Adams' Memoirs*, VI. 163.

### § 273. (1823.) Monroe Doctrine.—Peculiar interest of the United States.

*Morse's John Quincy Adams*, 128-134: *Schouler's U. S.* III. 27-31: *Von Holst's U. S.* I. 412-417.

1. Commercial interest in South American trade.

2. Defensive interest from the fear of invasion.

3. Sympathy with young republics.

1814-1818. Filibustering expedition.

4. Protection of the frontiers. Jealousy of Spain.

1817. Amelia Island and Galveston.

5. Desire to acquire Cuba.

### § 274. (1789-1883.) Monroe Doctrine.—Traditional foreign policy of the United States.

△ *Gilman's Monroe*, 162-170: *Tucker's Monroe Doctrine*, 1-11.

**I. Non-interference in European affairs.**

1793. Washington's neutral policy: *See* §§ 150, 153.

1796. Washington's advice: *Statesmen's Manual*, I. 77.

1798. John Adams' policy: § 171.

1801-9. Jefferson's opinion and policy: §§ 183, 209.

1812-15. Madison's policy: *Adams' Memoirs*, I. 480, 573.

1820. John Quincy Adams' declaration: *Adam's Memoirs*, IV. 182: V. 152.

**II. Non-interference of European powers in America.**

1787. Hamilton's prediction: *Federalist* (*Dawson's ed.*) *No.* XI. p. 68.

1803. Effect of the Louisiana purchase: *See* §§ 187, 188.
1815. Effect of the War of 1812: *See* §§ 231, 232.

**III. Further colonization to be prevented.**

1823. July. Adams' declaration: *Adams' Memoirs* VI. 193.

## THE MONROE DOCTRINE (1823-1824).

### § 275. (1823.) Monroe Doctrine.—Question of making a declaration.

*Gilman's Monroe*, 181-174; *Schouler's U. S.* III. 286, 288.

1823. Oct. 24. Jefferson's advice: *Jefferson*, VII. 315-317.
30. Madison's advice: *Madison*, III. 339-340.
Nov. Calhoun's advice: *Adams' Memoirs*, VI. 177. 185, 206.
Wirt's advice: *Adams' Memoirs*, VI. 203-204.
Adams' advice: *Adams' Memoirs*, VI. 177-179. 185, 195, 197.
Monroe's first draft: *Adams' Memoirs*, VI. 194.
1823. Dec. 2. First declaration.
1824. Dec. 7. Second declaration.

### § 276. 1823-1824. Monroe Doctrine.—Form of the declaration.

△ *Gilman's Monroe*, 156-166; *Von Holst's U. S.* I. 419-421.
□ *Snow's Guide*, 148-150.

1. **Colonization**: °*Statesmen's Manual*, 452-453.
On Russia.
On colonization.
2. **Intervention**: °*Statesmen's Manual*, 460.
On intervention in Spain.
On interference with Spanish America.
On the American policy towards Europe.
3. **Political System**: °*Statesmen's Manual*, 461, 468, 476.
On the European system in America.
On the success of Spanish American states.

### § 277 (1823-1826.) Monroe Doctrine.—Exposition

*Morse's John Quincy Adams*, 134-138; *Tucker's Monroe Doctrine*, 11-22; *Schouler's U. S.* III. 288-291; *Lalor's Cyclopaedia*, II. 898-900; *Von Holst's U. S.* I. 419-421; *Higginson's U. S.* 403.
BIBL. *Short's Reference Lists*, *p.* 74; *Gilman's Monroe*, 269-272.

**I. Colonization.**

Reason for the clause.

Not a claim to the whole continent.

Not a bar to colonies established by consent of American states.

*Jefferson*, III. 315-317; *Dana's Wheaton*, 103.

1826. Webster's construction of the clause; *Webster*, III. 178.

**II. Political system.**

Not a disapproval of monarchy.

A disapproval of the principle of legitimacy.

Not a disapproval of dependent States.

A disapproval of coercing independent States.

Not a disapproval of the transfer of colonies: *Dana's Wheaton*, 110-111.

**III. Intervention.**

Temporary and effectual.

### § 278. (1823-1845.) Monroe Doctrine.—Effect.

*Gilman's Monroe*, 171-174; *Schouler's U. S.* III. 292-293.

**I. On South America.**

Independence assured; *Gervinus*, X. 139.

Did the United States pledge itself to protect? *Adams' Memoirs*, VI. 202-208. *Von Holst's U. S.* I. 421-422.

**II. On Europe.**

1824. Joint intervention abandoned.

Last attempt of reconquest by Spain.

1825. Jan. 1. Recognition by England: *Knight's England*, III. 182-186.

**III. On the United States.**

Effect of an executive declaration.

The opinion of Congress never expressed.

1824. Jan. 29. Clay's resolution: *Benton's Abridgment*, VII. 650-652.

**IV. On Russia.**

Treaty of 1824: *Schuyler*, 297-304: § 465.

## ELEMENTS OF PARTY DIVISION (1820-1825).

### § 279. (1820 1824.) Tariff of 1824.

*Von Holst's U. S.* I. 400-403; *Schouler's U. S.* III. 296-298; *Lalor's Cyclopaedia*, III. 860-861; *Sumner's Jackson*, 76-77, 194-196.

*Blaine's Twenty Years*, I. 191.

*Snow's Guide*, 152-155; *Benton's Thirty Years' View*, I. 32-34; *Lodge's Webster*, I. 161-165. BIBL: *Taussig's "Outline of Political Economy* VI." 5-6; *Short's Reference Lists*, 128.

I. (1820-1823.) **Tariff agitation.**

1820. Aug. 27. Convention of "Friends of National Industry": *Bishop's History of American Manufacturers*, II. 257-258.

Apr. House protective bill lost in the Senate.

1822. Jan. 9. Baldwin's bill.

1822. Dec. 21. Monroe's recommendation: *Statesmen's Manual*, I. 448.

1823. Jan. 9. Todd's bill: *Bishop*, II. 279.

II. (1828-1834.) **Tariff of 1824.**

1823. Dec. 2. Monroe's recommendation: *Statesmen's Manual*, II. 56, I. 458.

1824. Apr. 16. Bill passes the Senate. Bill passes the House.

May 22. Provisions of the act.

III. (1824.) **Political discussion**: *Benton's View*, I. 32-34.

Attitude of Middle and Western States.

Clay on the "American system": *Benton's Abridgment*, VII. 709-711.

Attitude of New England.

Webster on the promotion of commerce: *Benton's Abridgment*, VII. 712; *Webster*, III. 94; *Lodge's Webster*, 156-165.

Jackson's position: *Sumner's Jackson*, 76.

### § 280. (1824-1828.) Tariff of 1824.—Constitutional Question.

*Von Holst's U. S.* I. 400-403; *Greeley's American Conflict*, I. 19-90; *Lodge's Webster*, 159-163, 169-171.

1. Power of laying taxes.
2. Power of regulating commerce.
3. Power of acting for "the general welfare."
4. "Necessary and proper" claims.

### § 281. (1821-1824.) Election of 1824.

*Stanwood's Presidential Elections*, 79-90; *Sumner's Jackson*, 73-90; *Morse's John Quincy Adams*, 149-170; *Von Holst's U. S.* II.

1-4; *Schouler's U. S.* III. 234-239, 262-270. 304-316; *Gilman's Monroe*, 155; *Benton's Thirty Years' View*. I. 44-45; *Lodge's Webster*, 144-146; *Sargent's Public Men and Events*, I. 35-43, 56-66; *Wise's Seven Decades*, 76-81.

**I. Elements.**

Personal followings and personal quarrels.
Absence of great political issues.
Absence of personal and party tradition.

**II. (1820-1824.) Candidates:** *Sumner's Jackson*, 77-88.

1822-1824. Andrew Jackson.
1822. John Quincy Adams.
1820-1824. Henry Clay.
1820-1824. John C. Calhoun: *Von Holst's Calhoun*, 53-61.
1820-1821. Clinton, Lowndes, and other minor candidates.
1817-1824. William H. Crawford; *Benton's View*, I. 35-36.
1824. Feb. 14. Caucus nomination of Crawford and Gallatin.

**III. The Campaign.**

Plan for election by distance. *Benton's View*, I. 37-41.
Unpopularity of the caucus.
Attitude of the Albany Regency.
Jackson's popularity in Pennsylvania.
Withdrawal of Gallatin.
Influence of the tariff question.

**VI. The Vote.**

Electoral Vote: *Diagram; Map: Scribner's Statistical Atlas, Plate.*
Popular Vote: *Diagram*; *Stanwood's Presidential Election*, 87-88.

### § 282. (1824-1825.) Election of 1825.

*Morse's John Quincy Adams*, 169-177, 181-189; *Stanwood's Presidential Elections*, 90-96; *Sumner's Jackson*, 90-99: *Von Holst's U. S.* II. 5-9: *Schouler's U. S.* III. 324-329: *Lalor's Cyclopaedia*, I. 808: *Benton's Thirty Years' View*, I. 46-50: *Sargent's Public Men and Events*, I. 67-79; *Wise's Seven Decades*, 84-85.

**I. Election in the House.**

Intrigues and proposed bargains.
1825. Jan. 8. Clay declares for Adams.
Feb. 9. Adams elected: *Map.*

**II. Charge of "corrupt bargain" with Clay:** *Sumner's Jackson*, 90-96: *Morse's John Quincy Adams*, 181-189.

1. The controversy.

Jackson's acceptance of the result.

1825. Jan. 28. The Kremer letter: *Stanwood's Presidential Elections*, 91.
1827. Mar. Jackson's charge: Buchanan's testimony.
J. Q. Adams' testimony.
2. Effect.
Would such a bargain have been "corrupt"?
Effect on Adams.—On Clay.

III. Charge of ignoring "the will of the people": *Von Holst's U. S.* II. 7-10; *Sumner's Jackson*, 98-99: *Benton's Thirty Years' View*, I. 46-49.
Benton's "demos krateo" principle.
Effect of the limitations of the Constitution.
The will of the people—how expressed.

## ADMINISTRATION OF JOHN QUINCY ADAMS. 1825-1829.

**§ 283. (1825-1829.) Adams' administration.—Elements.**

*Morse's John Quincy Adams*, 171-181, 205-209: *Schouler's U. S.* III. 293-295, 304-308, 336-346; *Higginson's U. S.* 406-430: *Benton's Thirty Years' View*, I. 54-55; *Snow's Guide*, 155-156: *Sumner's Jackson*, 108-111. BIBL. *Foster's References*, 20-22; *Short's Reference Lists*, *p.* 74.
Character of John Quincy Adams: *Schouler's U. S.* III. 397-410.
Forms and ceremonies: *Higginson's U. S.* 422-427.
Cabinet.
South American policy.
Negotiations of commercial treaties.
Policy of recommending legislation.
Internal improvements.
Military expenditures.
Refusal to make personal use of patronage.
Randolph Clay Bill: *Benton*, I. 70-77.
Foreign.
Question of St. Lawrence navigation: *Schuyler*, 282-289.

**§ 284. (1822-1826.) Adams' administration.—Panama Congress.**

*Schouler's U. S.* III. 358-367: *Von Holst's U. S.* I. 409-412, 417-419, 423-432: *Tucker's Monroe Doctrine*, 23-36: *Benton's Thirty Years' View*, I. 65-69: *Snow's Guide*, 150-152: *Lodge's Webster*, 140-141: *Sumner's Jackson*, 106-108: *Sargent's Public Men and Events*, I. 105, 115-117. BIBL. *Outline*, 1185-86, *pp.* 73-74.

1822-1823. Informal invitation to join in an American Congress.
1825-1826. Nomination of special envoys.
1826. Opposition in the House.
1. Personal opposition to Adams.
2. Hayti question.
3. Cuba question.
4. Constitutional question of diplomatic powers: *Benton's Abridgment*, VIII. 482-494, 534-551.
May 4. Appropriation act: *Statutes at Large*, IV. 158.
1826. June. Meeting at Panama: failure.
1825-1826. Question of the construction of the Monroe Doctrine.

### § 285. (1825-1829.) Adams' administration.—Organized opposition.

*Schouler's U. S.* III. 416-419; *Benton's Thirty Years' View*, I. 37, 78-87, 91-93: *Snow's Guide*, 157-159: *Morse's John Quincy Adams*, 189-194, 209-213: *Sumner's Jackson*, 100-106, 113-114: *Sargent's Public Men and Events*, I. 106-114, 117-123, 132-135.

**On the election of 1825.**

Charge of corruption.

Proposed Constitutional amendment on the election of president.

Randolph: *Adams' Randolph*, 285-291.

**II. Panama mission**, § 284.

**III. Patronage**: *Morse's John Quincy Adams*, 197-205; *Sumner's Jackson*, 111-113.

Mar. 1. Benton's amendment against appointment of members of Congress.
1826. May 4. Report of the special Committee: *Congressional Register, Appendix*, 133-138.
The six bills.

**IV. Expenditures.**

1828. Jan. 22. Chilton's resolution: *Benton's Abridgment*, IX. 668, 675.

### § 286. (1825-1829.) Adams' administration.—Creek controversy.

*Von Holst's U. S.* I. 433-448; *Schouler's U. S.* III. 370-380:

*Summer's Jackson*, 176-178; *Lodge's Webster*, 141-143; *Sargent's Public Men and Events*, I. 135-137; *Snow's Guide*, 159-160; *Benton's Thirty Years' View*, I. 58-64. BIBL. *Outline*. 1885-86, *pp.* 81-82.

**I. (1802-1825.) First Creek controversy.**

1788-1802. Encroachments of Georgia on Creek lands.
1819-1821. Efforts to secure a treaty of removal.
1825. Fraudulent treaty of Indian Springs.
Massacre of consenting chiefs.

**II. (1822-1826.) Question of the survey:** *Von Holst's U. S.* I. 435-443; *Summer's Jackson*, 176-178; *Benton's Thirty Years' View*, I. 58-60.

1825. May 15. The United States forbids a survey.
May-July. Defiant attitude of Georgia.
July. Direct conflict of authority.
1826. Jan. 24. Indian treaty of cession.

**III. (1827-1829.) Second Creek Controversy:** *Von Holst's U. S.* I. 444-448.

1827. Jan. The administration threatens to use force.
Feb. 3. Adams' special message: indifference of Congress.
Feb. Georgia militia called out.
Authority of the United States denied.
Mar. Congress declines to act.
Nov. 15. Treaty for final cession.
1829. Mar. 3. Jackson's talk with the Creeks.

### § 287. (1789-1829.) Internal Improvements.—Forms of Transportation.

*Hadley's Railroad Transportation*, 1-2, 24-33.

**I. Roads.**

-1789. Badness of Colonial and European roads.
1789-1830. Improvements in Europe: Macadam's system.
1789-1861. Neglect in the United States.
Turnpikes and plank roads.
1801-1829. Aid of the government to road-building.

**II. Canals:** *Dunbar's Topics in Political Economy*, IV. 18.

1769-1830. Development in Europe.
1775-1789. Schemes in America; § 191.
1811-1825. Erie Canal: *Renwick's Clinton.*

1826-1842. Pennsylvania system.
1828-1880. Maryland and Virginia system.
Western system.
1825-1829. Government aid to canals.

III. River navigation: *Dunbar's Topics in Political Economy*, VI. *p.* 20.

1780-1789. Experiments.
1793-1807. Fulton's system.
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*Schouler's U. S.* III. 295-296, 346-353, 356-358, 445-446; *Higginson's U. S.* 404-412; *Morse's John Quincy Adams*, 194-196, 201-202; *Sumner's Jackson*, 108-111, 191-194; *Lodge's Webster*, 137-138; *Lalor's Cyclopaedia*, II. 270; *Sargent's Public Men and Events*, I. 97-100. BIBL. *Short's Reference Lists*, *p.* 75 (No. 127).

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*Von Holst's U. S.* I. 404-408, 459-463; *Lalor's Cyclopaedia*, III. 861-862: *Sumner's Jackson*, 197-208; *Lodge's Webster*, 150-157, 165-171; *Schouler's U. S.* III. 420-428; *Von Holst's Calhoun*, 66-76; *Benton's Thirty Years' View*, I. 95-102; *Sargent's Public Men and Events*, I. 146-150. BIBL. *Taussig's Outline of Political Economy*, VI. *p.* 6; *Blaine's Twenty Years*, I. 191-192; *Greeley*, 1-9.

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